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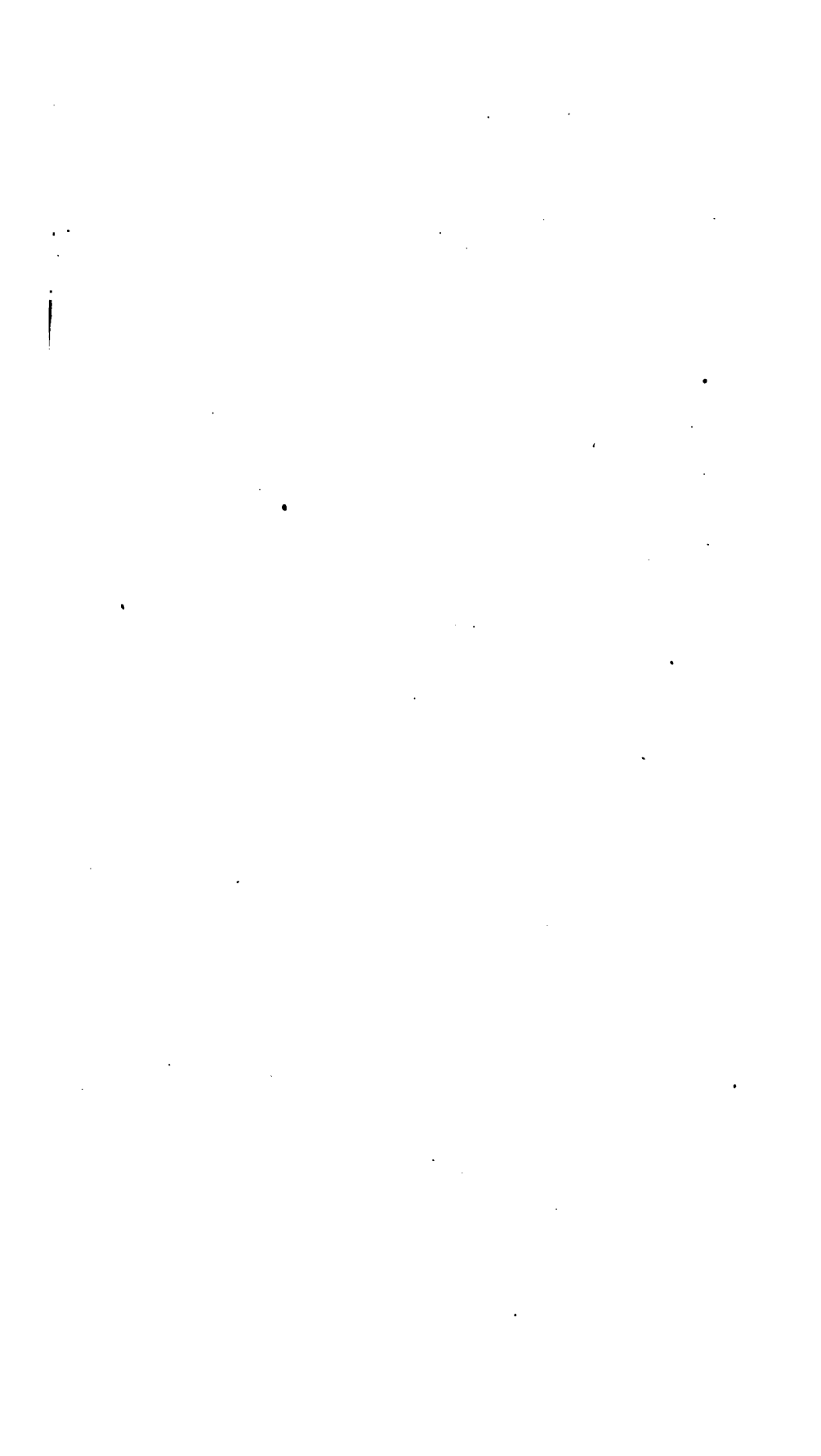
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THE
PARLIAMENTARY
REGISTER;
OR,
AN IMPARTIAL
REPORT OF THE DEBATES
THAT HAVE OCCURRED
IN THE TWO HOUSES
OF
PARLIAMENT,
IN THE COURSE OF
The Third Session of the Fourth Parliament of the United
Kingdom of Great Britain and Ireland.

VOL. I

LONDON:
PRINTED FOR JOHN STOCKDALE, PICCADILLY,
By T. GILLET, Crown Court, Fleet Street.

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THE
PARLIAMENTARY REGISTER,

DURING THE THIRD SESSION OF THE FOURTH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

HOUSE OF LORDS.

THURSDAY, JANUARY 19.

THE session of parliament was opened this day by commission; the commissioners were, the Archbishop of Canterbury, the Lord Chancellor, the Earl of Camden (president of the council), and the Duke of Montrose (master of the horse).

A few minutes after three, the lords commissioners took their seats, and a message having been sent to the Commons, they appeared, with their speaker at their head, at the bar. They were informed by the Lord Chancellor, that it was not convenient for his Majesty to meet them in person, and that he had been pleased to direct his commission to certain lords therein named, to open the session, which commission they should hear read, and afterwards his Majesty's most gracious speech.

The commission having been read by the clerk at the table, the Lord Chancellor then read the following speech:

My Lords, and Gentlemen,

We have it in command from his Majesty to state to you, that his Majesty has called you together, in perfect confidence that you are prepared cordially to support his Majesty in the prosecution of a war which there is no hope of terminating safely and honourably, except through vigorous and persevering exertion.

We are to acquaint you, that his Majesty has directed to be laid before you copies of the proposals for

opening a negotiation, which were transmitted to his Majesty from Erfurth, and of the correspondence which thereupon took place with the governments of Russia and of France; together with the declaration issued by his Majesty's command on the termination of that correspondence.

His Majesty is persuaded, that you will participate in the feelings which were expressed by his Majesty, when it was required that his Majesty should consent to commence the negotiation by abandoning the cause of Spain, which he had so recently and solemnly espoused.

We are commanded to inform you, that his Majesty continues to receive from the Spanish government the strongest assurances of their determined perseverance in the cause of the legitimate monarchy, and of the national independence of Spain; and to assure you, that so long as the people of Spain shall remain true to themselves, his Majesty will continue to them his most strenuous assistance and support.

His Majesty has renewed to the Spanish nation, in the moment of its difficulties and reverses, the engagements which he voluntarily contracted at the outset of its struggle against the usurpation and tyranny of France; and we are commanded to acquaint you, that these engagements have been reduced into the form of a treaty of alliance, which treaty, so soon as the ratification shall have been exchanged, his Majesty will cause to be laid before you.

His Majesty commands us to state to you, that while his Majesty contemplated with the liveliest satisfaction, the achievements of his forces in the commencement of the campaign in Portugal, and the deliverance of the kingdom of his ally from the presence and oppressions of the French army, his Majesty most deeply regretted the ter-

mination of that campaign by an armistice and convention, of some of the articles of which his Majesty has felt himself obliged formally to declare his disapprobation.

We are to express to you his Majesty's reliance on your disposition to enable his Majesty to continue the aid afforded by his Majesty to the King of Sweden. That monarch derives a peculiar claim to his Majesty's support, in the present exigency of his affairs, from having concurred with his Majesty in the propriety of rejecting any proposal for negotiation to which the government of Spain was not to be admitted as a party.

Gentlemen of the House of Commons,

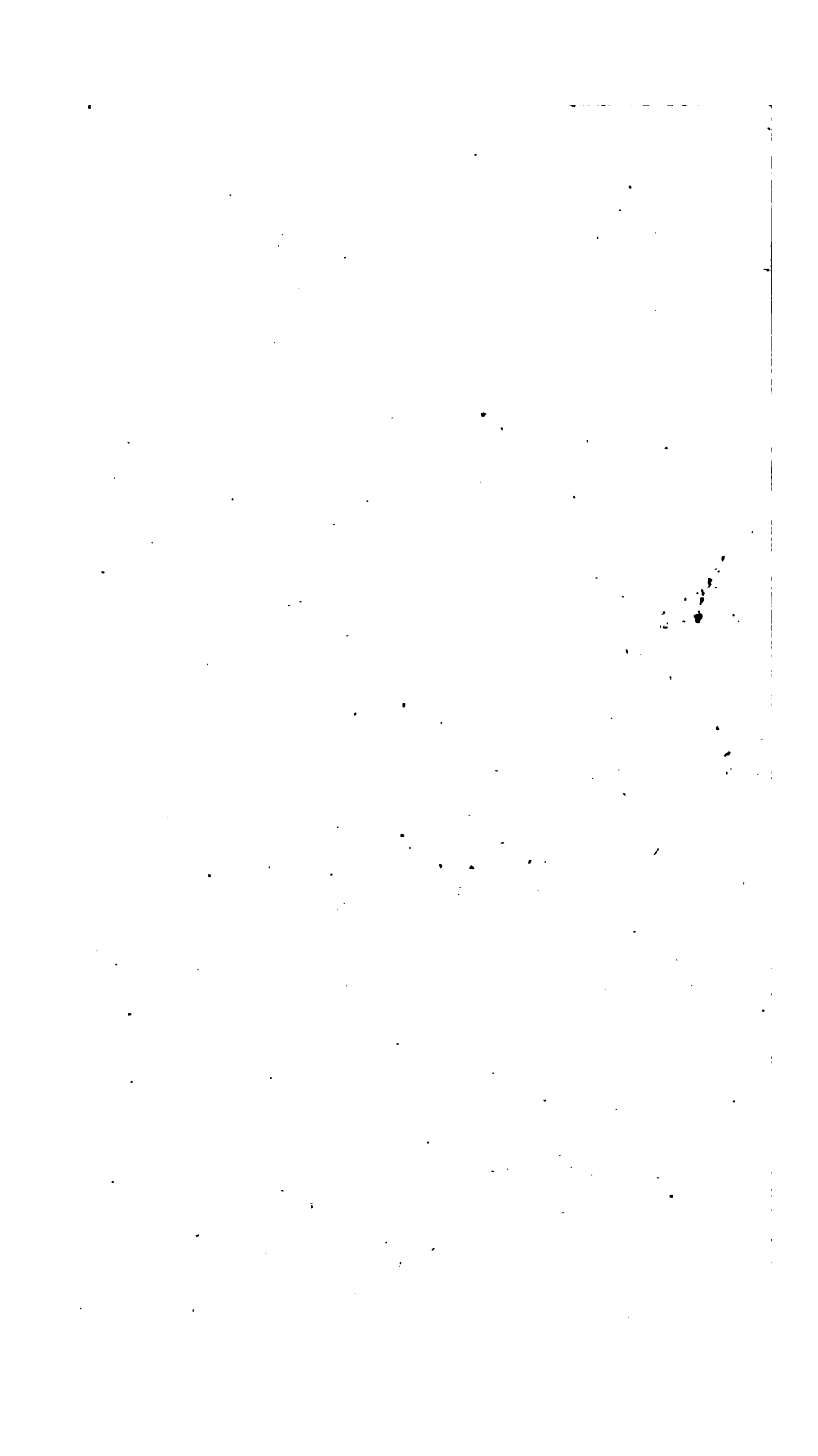
We are commanded by his Majesty to inform you, that he has directed the estimates of the current year to be laid before you. His Majesty relies upon your zeal and affection to make such further provision of supply as the vigorous prosecution of the war may render necessary; and he trusts that you may be enabled to find the means of providing such supply without any great or immediate increase of the existing burthens upon his people.

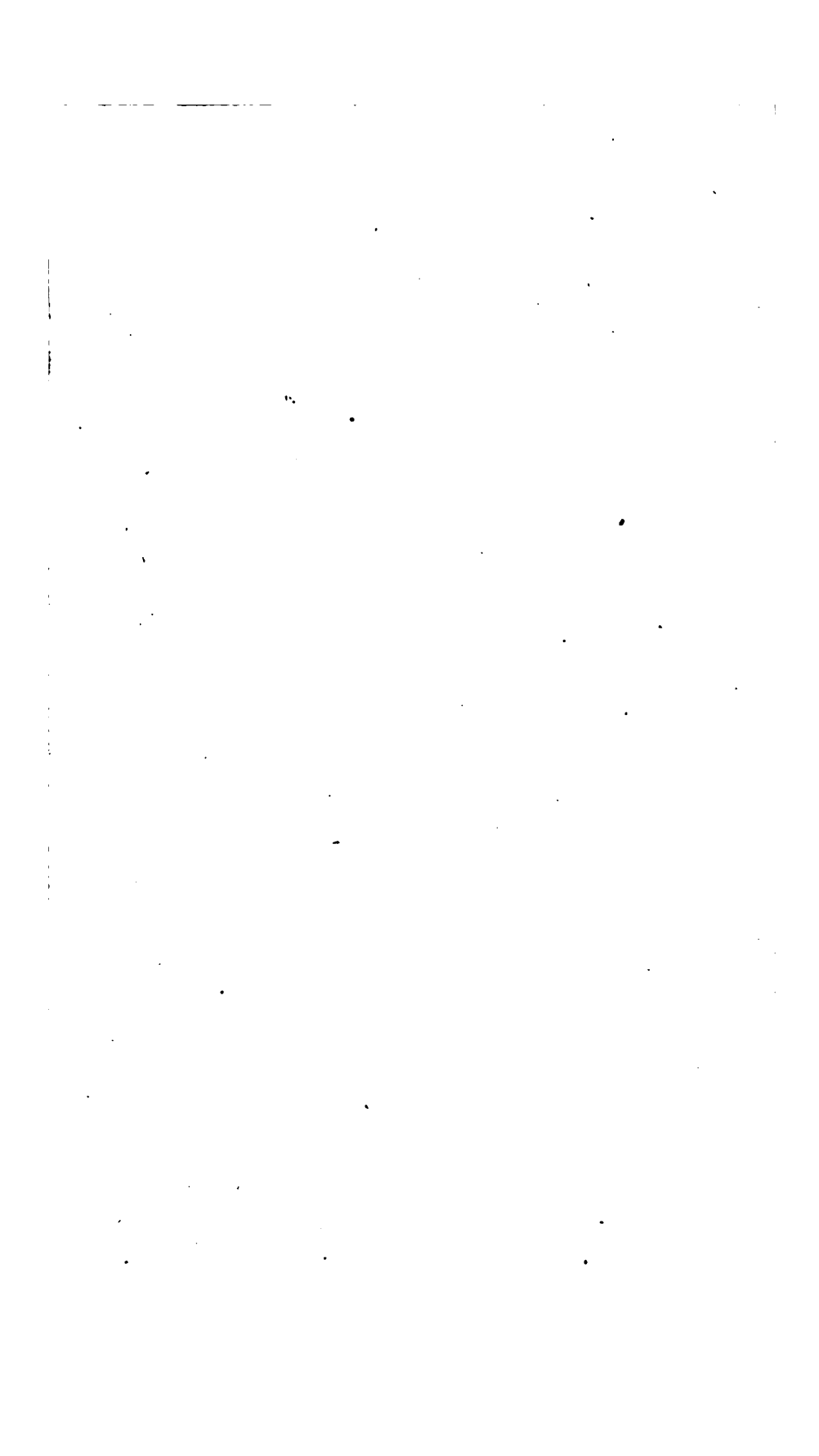
His Majesty feels assured, that it will be highly satisfactory for you to learn, that notwithstanding the measures resorted to by the enemy for the purpose of destroying the commerce and resources of his kingdom, the public revenue has continued in a course of progressive improvement.

My Lords, and Gentlemen,

We are directed to inform you, that the measure adopted by parliament in the last session for establishing a local militia, has been already attended with the happiest success, and promises to be extensively and permanently beneficial to the country.







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increasing embarrassments of the country, he could not be suspected of being very anxious to return to office. He should trespass no longer upon their lordships' patience. He thanked God for having given him strength to communicate his sentiments on the very critical situation of the country, and thanked the house for the indulgence it had shewn him. He would offer no amendment, but content himself with expressing his dissent from the address.

Earl Grosvenor complained, that in consequence of the mode which ministers had of late years adopted respecting the speech from the throne, noble lords were often betrayed into an involuntary approbation of the address. Formerly it was the custom to read the speech previous to its being read from the throne by which the members of both houses were put in possession of the substance of it at least. That excellent custom had been discontinued; and any noble lord who might disapprove of the speech, was thereby precluded from offering an amendment to the address. He would, however, admit on this occasion, there was not much in the address to produce a difference of opinion. He cordially approved of that part of the speech which expressed a determination to give all possible assistance to the Spaniards, so long as they should be true to themselves. He did not despair of the Spanish cause, provided the vast means of this country were employed in the manner best calculated to distress and embarrass the enemy. He also concurred in that part of the speech which expressed disapprobation of the convention of Cintra; but he would have been better pleased if that disapprobation had been followed by an avowal that ulterior measures were intended. Ministers having professed their determination to persevere in the cause of Spain, he trusted that their exertions would henceforth be made in a manner different from what they had been. His lordship severely censured that military arrangement by which a British army was sent into the heart of Spain, when it should have been sent to the foot of the Pyrenees. It should have been sent to a situation where it could not be exposed to the possibility of being obliged to retreat. He derived much satisfaction from the assurance in the speech, that the revenues of the country were in a state of progressive improvement, and also from the assurance of the noble lord who seconded the address, that our commerce

had not materially suffered from the efforts of the enemy. Buonaparte not being able to overthrow our power by the force of his arms, was endeavouring to sap it. His success, and his hatred, had shut us out from the greatest part of the continent; but still the Mediterranean, Africa, and the greatest part of America, were open to us. There was great cause and inducement to perseverance, no reason for despondence. Odious as Buonaparte's general conduct was, there were some parts of it that were not unworthy of imitation. No one could refuse him the praise of great talents. These we had sometimes seen employed in operating necessary reforms. His lordship recommended the greatest economy in our expenditure, and the abolition of every sinecure place.

Viscount Sidmouth observed, that there was one point upon which there could not, he was persuaded, be any difference of opinion among their lordships, namely, the propriety of assuring his majesty of the gratitude with which they received his speech. In expressing that assurance, a language was employed, which to him appeared to commit the house to certain points upon which they were not adequately informed. For himself, he would approve of continuing to support Spain so long as any hope remained; but he was not prepared to thank his majesty for a treaty, of the conditions and engagements of which he was wholly ignorant. It was not impossible, when the treaty came to be discussed, that he might approve it; but until the documents were before him, he must suspend his opinion, and, above all things, decline to pledge himself to an unreserved approbation of the measure. Before he could come to a proper decision on this subject, he must also obtain some information respecting the state of Spain. At no period within his memory was there so much spirit, so much loyalty and zeal in the country, and yet, at the same time, so much dissatisfaction. It was a dissatisfaction not arising from a turbulent disposition in the people of this country, or from any marked reverses, or from the pressure of the public burthens, but a dissatisfaction produced by a feeling most honourable to the nation. The dissatisfaction was proportioned to the zeal and expectation of the country. It was not content either with the extent of the exertions that had been made to aid the Spaniards, or with the manner in which they were employed. Some statement, he trusted, would be made to

allay this very laudable feeling of the public mind. His lordship here declared that he rose chiefly for the purpose of qualifying the assent he should give to the greatest part of the address. With the reservation he had made, and that the means which would be liberally given would not be misemployed; that the sacrifices of blood and treasure that the people of this country were disposed beyond all example to make, would be spent for the glory of the nation, and the honour of his majesty's crown,—he would give his assent to the address. He wished, however, not to be considered as committing himself to its full extent, but merely as concurring in that part which recommends a vigorous prosecution of the war, and expresses a determination to assist Spain, so long as Spain shall prove true to herself. He also concurred in the expediency of increasing our military means in proportion to those of the enemy with whom we have to contend.

Lord Grenville said, that there were many passages in the Address, to which it was impossible for him to agree. He never addressed himself to their Lordships under such feelings as he now did; because the sentiments he was about to utter respecting the whole course of policy which this country was pursuing, were in direct contradiction to every thing he had heard that night. He could not concur with the noble lord who seconded the Address, that we stood in that proud and exalted situation he had described; as little could he agree with him, respecting the failure of the attempt to cripple our resources. It was formerly the policy so to frame the speech from the throne, and the Address in reply to it, that the legislature was left unfettered as to its approbation of the past, and not pledged to the future. Ministers, however, had upon the present, as well as on a former occasion, adopted a custom directly the reverse. They wished to trepan the house into an approbation of their former measures, and to betray it into a pledge of unreserved support in the measures they had in contemplation. He should only repeat the general sensation of the country, when he expressed the utmost horror and detestation of the conduct of the tyrant, who was endeavouring to usurp the throne of Spain. It was natural for the people of this nation to applaud the efforts of a people struggling to assert the dignity and the independence of their country. If he, however, were called upon to say whether it was

wise in the past, or in the future, to send armies to Spain to support that people, he must say that it was not. His opinion last summer was, that there did not exist such a prospect as justified the sending an army into Spain. In making this assertion, he did not mean to be understood as deprecating and condemning exertion of every kind in favour of that people. There were ways in which they could receive material assistance. He would not deny that naval and small military expeditions should be employed in their favour. These, properly directed, would have assisted the Spaniards more than any army we could possibly send to their support. Instead of adopting this system, what did we do? Why, sent an army of 40,000 men to encounter the whole force of France. Whenever we acted on the continent, we always appeared as an auxiliary, but now we dropped that character, and came forward with 40,000 men against Buonaparte, at the head of four times that force. He regretted that the system contained in that excellent paper, "precautions," had not been followed, and that the Spaniards, instead of carrying on a desultory war, should have been guilty of the imprudence of engaging in pitched battles against the ablest generals, and as well disciplined armies as any in the world. The moment we appeared on the theatre of war, the Spaniards were necessarily compelled to adopt our system, and abandon their own. They gave up all the advantages of a harassing desultory mode of warfare. He had also to complain that ministers did not meet parliament sooner, and that some communication had not been made from the throne at the conclusion of last session. He waited for that communication, being resolved to come down and protest against sending an army into Spain, and exposing it to that fate which he scarcely had courage to contemplate. It appeared to him as if ministers had purposely concealed and withheld from parliament, the knowledge of what they intended to do. He had resolved before he came down to state this, and he found additional reason in the speech for adhering to his resolution. He would so far coincide with the address, as to concur in the propriety of augmenting our military force, for that measure became imperiously necessary in consequence of the great, and, he feared, fatal error that was committed in sending troops into Spain. The most that could

have been done for them was to afford them the means of arranging their defence in the Pyrenees or the neighbourhood. There lay her best chance of defending herself against the unjust aggression of the enemy. The French had been driven out of Madrid, or at least compelled to withdraw from it. They retired to the provinces contiguous to their frontiers, where they were cantoned in small parties. Had the British troops been landed in Biscay, in any thing like an adequate force, with the assistance of the Spaniards, they might have driven the French beyond the Pyrenees, and delivered up to the former the keys of their country. Instead of co-operating in this way, it would seem as if ministers had explored the map, to see at what part of the peninsula, most remote from the scene of action, they could land the troops. At the period he mentioned, time and local situation was every thing, and yet ministers appear to have proceeded in utter contempt and defiance of both. They left the Spaniards to contend with the armies which were compelled to retire to the borders of the Pyrenees, and which by a little exertion on our part, might be driven beyond them, and they disembarked the troops at Lisbon, where they could possibly be of no use in deciding the fate of Spain. Two months were passed before an army was sent even there, to that country about which ministers appeared so excessively anxious, and two months more before it reached the scene of action in Spain. He would not say that all Spain was lost; but no man could deny that the North of Spain was completely lost, without one British musket having ever been fired there. And this is the way ministers seek to recover the character, and to re-establish the honour of the country, which they say has been compromised and injured by their predecessors in office. Was it possible for any noble lord to acquiesce in this address without understanding something of the nature of the information upon which government proceeded? Did ministers know that their 40,000 men would probably be opposed to 200,000 of the enemy, and if they did, what would be thought of them for sending them there? If they did not know this, what would they say in extenuation for themselves? The gallant officer who commanded the army in Portugal, stated as a reason for the inactivity of that army, that no arrangement had been made for

receiving it. Why were not the necessary arrangements made? Ministers had not been sparing of expence on this occasion. They had military and civil commissioners in the capital, and in the great towns, and almost in every village in Spain. And yet, with all these means at their disposal, for two long months, not one preparatory arrangement was made, not one step taken to march an army into Spain. When they should co-operate with the Spaniards at the foot of the Pyrenees, they land the troops at Lisbon and Cornnna, from whence they were to proceed through almost impracticable roads, and a country the most deficient in resources of any in Europe. How could he consider these instances of ignorance and misconduct, and say, that their exertions were vigorous and efficient? The speech noticed the armistice and convention. He wished noble lords would attend to the answer which was to be returned to that part of it. That house knew nothing of the convention—nothing of the armistice—nothing of the disapprobation expressed by his majesty of these arrangements; and yet the house was to be called upon to concur in this disapprobation. This was that “impartial justice,” which was described in the petulant and offensive answer returned to the address of the City of London, and which was meant to cast a censure upon the whole body of the people of England. This was not the proper time to make any observations on the convention of Cintra, but it would soon arrive. The remark in the speech imposed the imperious duty on the house of inquiring into the circumstances of that convention. The inquiry which had already taken place might have answered the views of ministers, but it should not satisfy parliament. He would also refrain at present from saying any thing respecting the naval part of the capitulation. He did not intend to express any opinion respecting the conduct of the officer who commanded on that occasion. These were all subjects for the consideration of parliament. It appeared to him, however, an extraordinary arrangement, that instead of following the old code of naval instructions, to burn, sink, and destroy, an arrangement should be entered into to bring home an enemy’s fleet, and hoard it up for the purpose of restoring it to its sovereign when peace should take place. [His Lordship next alluded to what had fallen from the noble lord who seconded the motion re-

spec'ing the American embargo and the failure of every attempt to cripple our commerce.] There was no one more competent to speak on this subject than the noble baron, and he trusted he would be able to prove, when the subject came under discussion, that it did not produce the inconvenience that was apprehended. He so far, however, would agree with the noble baron, that for this blessing the country was indebted to the firmness, as it was called, of ministers. Their orders in council were the cause of that embargo. If any one doubted it, let him read the communications of the president of the American government, and the documents by which it was accompanied. But to put the question beyond all cavils, let noble lords consider the proposition that had been tendered by the American minister. They would see that it was to the rejection of that, that the continuation of the embargo, or the substitution of a measure equally hostile to this country, was to be ascribed. He knew that the American government were influenced by a strong bias and partiality to France; but the majority of the people of America had no such partiality. They were advocates for British connexion. They were too deeply impressed with the advantages resulting from it to sacrifice them either to their government, or to any point which did not affect their honour as a people, and their independence as a country. He was persuaded it was the intention of ministers to drive matters to extremity with America. This intention was ill disguised in that insulting and sophistical answer which had been returned to the proposal of the American minister. Had that proposal been adopted, we should now have America in alliance with England, and at war with France. From the moment that America offered to withdraw the embargo, he asserted, a new epocha took place, and the question assumed quite another aspect; for by that concession, he asserted, America in fact made common cause with us against France, and it was an insatiation in ministers not to come to accommodation with her. He knew there were many discerning people in this country; who thought that we should destroy all commerce but our own, and not suffer any other ship on the sea. He knew not whether ministers had any affection for this absurd policy, but it seemed by their conduct that they had. But most miserable and deceived would they find

themselves, if they acted upon any such absurd and mad speculation. Before he sat down, he would just notice the allusion to the overtures made from Erfurth. He was of opinion that those overtures could never have led to peace, situated as both parties then were with respect to Spain. Neither side could well have treated on the *uti possidetis*, Buonaparte expecting to reconquer Spain in two months, and we in possession of Portugal. But the proper time for discussing this question would come hereafter. He should only just now notice a contradiction between the speech and his majesty's late declaration. That speech states, that it was demanded as a preliminary that we should not interfere in Spain, and the declaration, that we demanded that the French should cease their interference. Which was the fact, he knew not; but it seemed to him an absurd thing for either side to ask of the other, and of course, not to be expected that either should acquiesce in, therefore not likely to lead to a pacification. Having now stated in what points he dissented from the address, he should just say, that he most cordially agreed to the proposition for augmenting our force; he conceived it would be highly proper, and would be most essentially necessary and useful under proper and wise management hereafter, and he feared at no distant period, in our own defence. To that part he most cordially assented; but he could by no means, viewing the conduct of ministers as he did, concur in the address altogether as proposed.

The Earl of Liverpool said, that the address, as it was worded, pledged the house only to that general support of the Spanish cause, which was consonant to the sentiments entertained by all ranks of people in this country. With regard to the question of where the British troops should first act, he could truly assert, that Sir Arthur Wellesley had proceeded on to Portugal, in consequence of the decision of the Junta at Corunna, that the expulsion of the French from that country was the most essential service which he could do to the cause of Spain. The noble lord had recommended coast expeditions, instead of penetrating into the heart of Spain, and yet the only coast expedition which was practicable, and which had been successful in a degree almost unprecedented, was the subject of his censure. Was it not by the coast expedition of General Spencer, who landed at Ayamonte,

that the French in Portugal were prevented from effecting a junction with Dupont. As to the other objection of the noble lord, that of sending a large force into the heart of Spain, he would say, that great risks must be run, where great objects were to be obtained. But was there not, in what the Spaniards had done—was there not, in the moral and physical state of the country, every thing that could form an inducement to the most vigorous and extensive assistance? The expedition to Portugal was not dispatched in an unprovided state. On the contrary, when that came to be particularly discussed, he would be ready to prove, that its equipment was in every respect as complete as any expedition that had ever sailed from the British ports. It was not only sufficiently provided with artillery, but in that particular department our military character had acquired fresh lustre. He could not now enter into an examination of the merits or demerits of the convention of Cintra, but was surprized how the noble lord could construe the censure expressed in the speech against some of the articles into an unqualified disapprobation of the whole. He could assure the noble lord and the house, that nothing was more remote from the intention of ministers than to involve the country in a war with America. He should think that the admission made by the noble lord that the government of that country evinced a partiality for France, would furnish a solution of the circumstances in the present state of things between the two countries. The embargo could not have been, nor was it first alleged to have been laid in consequence of the orders in council, because the American government could not then have known that such a measure was actually in agitation. But in a subsequent communication to Mr. Erskine, Mr. Madison stated that the *probability* of such orders being issued, was one of the causes of the embargo. The proposal of July last, to this government and that of France, shewed a bias in favour of the latter. To France the inducement to revoke the decree of Berlin was war with England; to us the advantage held out was only the continuance of the embargo with respect to France. His Lordship concluded with a few remarks on the flourishing state of our commerce and finances.

Lord Moira decidedly differed both from his noble friend and ministers, as to the conduct which should have

been adopted with respect to Spain. There was a period in the war when the force which we now have there would have been sufficient to have stopped the passes of the Pyrenees, and led to the capture of every Frenchman in that country. This was the only plan which presented any chance of a successful issue. It was the rock split in the desert, but we had neglected to drink at the fountain. The consultation with the people of Corunna, in the then state of things, was as ridiculous as if the commander were to go to consult the inhabitants of Penzance what should be done if the enemy were to land in Scotland. His lordship entered at some length into the question of the convention of Cintra, and declared that his opinion as a member of the board of inquiry was, that no blame attached to the commanders in a military point of view, the only error of that transaction being of a political nature, and therefore not within the constitutional scope of the powers rested in the board. The result of their decision was to render an inquiry into the conduct of ministers indispensably necessary, as they alone were responsible for the political conduct of the expedition.

Lord Erskine reprobated the address, as in many respects disingenuous, particularly in the attempt which it made to screen ministers, by shifting the blame of the convention of Cintra from their own shoulders on those of the officers who commanded the expedition in Portugal. If there was an error of judgment any where, it was to be charged on his majesty's ministers who had placed those officers in a situation which reduced them to the necessity of acceding to such terms. The conduct of ministers in rejecting the proposal of America, he might also reprobate. It would lead to the worst consequences. It would throw America into the arms of France, and tend to separate the new from the old world, which must deeply wound the commercial prosperity of the country.

The Lord Chancellor combated the opinion of his noble and learned friend. Nothing could be more unfounded than the idea which some noble lords seemed to entertain, that the government of this country seemed to be actuated by a spirit of hostility towards America. They harboured no such feeling; on the contrary, they were sensible that the interests of the two countries were closely connected; but that England must maintain her dignity, her rights,

and her laws: otherwise, indeed, she would soon prove but an unavailing friend to America, or any other country. Nothing could be more unfounded than the charge of disingenuousness, brought against the address by his noble and learned friend. What was there disingenuous in it? It did not preclude the house from the fullest investigation of any of the measures it had referred to, but left them open for future discussion and censure. In the reference it made to the armistice and convention, it did not intend any reflection upon the military conduct of the officers concerned in them. It rather had in contemplation circumstances of a mixed nature, rather political than military, and these most probably it was of which his majesty has declared his disapprobation. When all these measures come hereafter to be more fully discussed, noble lords would find themselves fully at liberty to treat them according to the judgment they might then form of them. Their concurrence in the address at the present moment would not preclude them from that liberty.

Lord Buckinghamshire and *Lord Mulgrave*, entered nearly into similar explanations.

Lord Auckland, advertng to the speech of the noble and learned lord on the woolsack, who had reprehended his noble friend (lord Grenville) for introducing the American question, which the king's speech had altogether omitted, reminded the house that the mention of America had originated with the noble lord who had seconded the address. He did not wish, however, to justify the mention of that urgent and most important consideration, by reference to any example or authority. Was parliament to be precluded in the opening of the session from advertng to the question, whether the commerce and manufactures of the country are not groaning and declining under the continuance of the insatuated system of the orders in council? Was it not the duty of that house, and of every member belonging to it, to examine whether the ports of the United States might not long ago have been re-opened to us, and their friendship recovered and secured? He felt himself prevented from entering fully into the subject, only because the faculties of his mind were depressed and weighed down by his anxieties respecting the sufferings and fate of our armies in Spain. Some noble lords had started doubts, whether it would have been wiser to have thrown at once all our force into

Portugal, in order to have sent Junot's army and the Russian fleet under an unqualified surrender into this country, and to have maintained possession of Portugal as the best means of operating an eventual diversion in favour of Spain : others seemed to think that we ought to have confined our assistance to coast expeditions. It had also been stated very eloquently, that if any landing of troops were expedient, it should have been our object to have landed a great army early in September on the coast of Biscay, and to have taken possession of the passes of the Pyrenees. He did not, however, think himself called upon to examine into the choice of measures which might have been adopted. In that choice much must have depended on the circumstances existing at the moment of the decision, and on information exclusively in the possession of the king's ministers. The true question would be, whether the long march of our unfortunate armies, from Lisbon and from Corunna, through bad roads, and exhausted countries, in a rainy season, and after the arrival of the French reinforcements, had ever presented any rational hope or prospect of success. He would not pre-judge or anticipate the discussion of that question. He adverted to it only for the sake of establishing his claim not to be precluded or committed by any expressions introduced into the address.

The question was then put, and carried without any amendment.

HOUSE OF COMMONS.

THURSDAY, JANUARY 19.

The Speaker came down to the house at three o'clock.

Shortly afterwards, Mr. Quarme, deputy usher of the black rod, attended at the bar with a message from the upper house, desiring the attendance of this house forthwith in the house of peers, to hear his majesty's commission read for opening the session.

The Speaker, with the whole house, attended forthwith; and, in about half an hour, returned and took the chair, and acquainted the members, that this house had been in the house of peers to hear his majesty's commission read for opening this session of Parliament; and also the speech of the commissioners delivered by the lord chancellor.

for to both houses, of which, to prevent errors, he had obtained a copy, which he forthwith read to the house.

THE ADDRESS.

Mr. Robinson rose to move an address to his majesty, in answer to the speech just read. He wished not unnecessarily to detain the house longer than to express a few observations on the different passages in that speech which occurred to him, before he should submit the address he should have the honour of moving, and in which he hoped for their unanimous concurrence. In doing this, he trusted to the usual indulgence of the house to persons in his situation, and without further preface, should proceed to offer such observations as occurred to him upon so important an occasion. His majesty's speech commenced with expressing his reliance on the concurrence of the house in his just opinion that the only way to obtain a safe and honourable peace was by a vigorous prosecution of the present contest, and a cordial support of his majesty in the war in which he is engaged. In this sentiment he was convinced the house would be unanimous. It had already declared the justice and necessity of the war, and its repeated determination to support his majesty in its vigorous prosecution, to the attainment of an honourable and advantageous peace; and it would be a signal departure from its own repeated declaration, an abandonment of the principles it had so often professed, if it were not now prepared to support his majesty in a vigorous prosecution of the contest. The leading topic in his majesty's speech was his majesty's refusal of the overtures of France and Russia for a treaty of peace, founded upon the abandonment of Spain to the mercy of the common enemy. But whoever looked to the situation of this country and the circumstances which led to her connection with the Spanish nation, would not be disposed to consider it the duty of his majesty to accede to such a proposition, so dishonourable to the character of the British empire; or that such an accedance could tend to obtain a purpose so desirable as peace and security to this country, much less to the rest of Europe: but, on the contrary, that a vigorous prosecution of the war, must tend more effectually to an honourable peace, than any partial or temporising system of pacification; and that we were bound to that country by every principle of honour and good faith, to

contribute every aid in our power that could enable her to resist the usurpation and tyranny of the ruler of France. The tyrant of France having succeeded in subjecting that country to his power and ambition, and humbled the rest of Europe to a temporary submission, next turned the views of his insatiable ambition to the subjugation of Spain; and unsuccessful in his first attempt for this purpose by the force of arms, he has recourse to fraud and falsehood, the more speedily to carry his purposes into effect. He, therefore, in his proclamation, tells the Spanish people, that if they will not submit to the usurpation of his brother, he will cause the crown of Spain to be transferred to his own head, and convert the Spanish nation into a province of France, when she shall have no connection with the governments of Europe inimical to him, and whom he stiled the *wicked*. This country might be assured he reckoned her amongst the *wicked*, and himself an instrument in the hand of Providence. It might appear to some, that the cause of Spain, over which the dawn of new liberty at first appeared rising, had now become less interesting than at first it appeared; but he knew no subject more highly interesting, than a great and powerful people, rising, as it were, unanimously, to resist the tyranny and usurpation of a foreign despot; nor any thing more worthy the support of Great Britain, than the struggles of a nation asserting a cause so congenial with her own. Speculative men might differ as to the measures Spain might be disposed to adopt. But, even if it did not appear that Spain wished to restore Ferdinand, yet such a disposition was not incompatible with their resistance to a foreign tyrant; and, if we considered the inevitable results of ultimate success to the enemy in the subjugation of that country, we must feel the policy, as well as the duty, of extending to her the powerful aid of the British arms, to uphold her in this arduous conflict; in which, not only the remaining interests of this country, but of Europe, were at stake. Under these circumstances, the resolution of his majesty called for the applause and support of the house. To desert the cause of Spain, in compliance with the proposition of France, and Russia, would be an act of dishonour incompatible with the character of the British nation; and even all the advantages of peace would not be worth purchasing at such a price as that of incurring the certain contempt of Europe and

of posterity. It was not the character of this country to purchase peace from an enemy, at the expense of infidelity to her allies. It was a principle which, when the French government proposed it, they must know could not be accepted. In fact, it was, of all expedients to which this country would resort, the last. He trusted, however, the Spanish people would still persist in nobly maintaining the struggle, and finally triumph.

—— Per damna, per credes;

Ab ipso ducet spem—animunque, ferro.

The honourable member then adverted to the several other passages in the speech; he sincerely concurred in the necessity of extending the advantages of the local militia, and vigorously increasing the disposable force of the country. He rejoiced in the very flattering assurance given in the speech, of the progressive increase of the public revenue; and though he was aware that the necessary increase of the public force was not to be effected without great expense, the house must feel satisfaction that there were means in contemplation to meet the exigency, without the necessity of imposing any considerable new burthens upon the people. He concurred with his majesty in the disapprobation he was pleased to express of some of the conditions in the convention of Cintra; but added, that, with respect to the conduct of the army, and the laurels they acquired in Portugal, the battles already detailed, would best speak for themselves. Never on any occasion were the valour, the discipline, the ardour, and the enthusiasm of British troops more eminently displayed; and the public approbation had already anticipated more than he was competent to express in their praise. The honourable member concluded by moving an address to his majesty, which was, as usual, an echo of the Speech.

Mr. Lushington rose to second the address. It is highly satisfactory to me (said he) in rising to second the address which the honourable member has moved, that the ability and eloquence with which he has illustrated the various important topics which it contains, leaves little for me to perform. In executing this lighter task, I trust, however, to the usual courtesy of the house, to make a large allowance for my deficiencies. Believing as I do, that there never was a period in the history of this country, when parliament assembled under circumstances

more deeply affecting the vital interests of this empire, I cannot but feel the strongest desire, that the house may join in an animated and unanimous expression of loyalty and attachment to his majesty's person, and of hearty co-operation in the just views of his government. To the cordial manifestation of these sentiments on former arduous occasions, to the vigour thereby infused into the measures of his majesty's government, and thence transmitted to the nation at large, we owe it that at this moment Great Britain remains single, amidst the nations of the world, unhurt and unappalled by the tyranny and treachery of France. If such have been the acknowledged benefits flowing from the united force of parliament on former occasions, assuredly I cannot err in anticipating a cordial concurrence in the motion made by the honourable mover on this occasion, involving, as they do, the honour of the crown, the pledged faith, and all the generous feelings of the nation, and the only remaining hope of deliverance to Spain, and all those nations who have successively fallen under the violence of France and their own concurring supineness. Reflecting upon the unhappy events which in these latter years have alienated so many of our allies from this country, and thrown them into the arms of the enemy, his majesty's ministers have felt it particularly their duty to give an example to the world of the interest which his majesty takes in the welfare of other states, of the good faith of this country in performing all the duties of alliance. Convinced that they were dealing with an enemy, who omitted no means of fraud or force to gratify his lust of dominion, and satiate the vengeance which his heart feels, and his tongue often acknowledged, towards this country, his majesty's ministers have not been deluded, by hollow offers of peace, from performing the duty they had solemnly pledged to Spain. Acting on that spirit of caution which the experience of former treachery justified, they ascertained that the principles upon which the enemy professed to treat with this country, must be to the last degree offensive and insulting to every man not prepared to humble and disgrace it. To have made peace with France by abandoning Spain, would be so foul an act of cowardice and desertion, that it seems to be impossible any man could counsel his majesty to an act so disgraceful to the country. War, under any circumstances of disaster that

the imagination can conceive, appears to me preferable to such a peace. I feel, therefore, that his majesty's government is entitled to our warmest approbation, for anticipating and defeating the treacherous views which dictated the insidious offers of the enemy, for the manly declaration published on that occasion. I trust, indeed, that the feelings of the house, in this respect, will be as general as their determination, cordially to support his majesty in the vigorous prosecution of the war in Spain, and such a declaration seems to me an homage which all parties must not be less anxious to pay to our national honour and faith, than to the principles they have themselves formerly professed. But if we shall desert the cause of Spain in the midst of her reverses; even whilst the Spaniards continue true to themselves, with what confidence can we hope for our own safety. So deep a stain will, I trust, never fall upon this country; for with nations as individuals, punishment follows fast upon the footsteps of dishonour. I trust, therefore, that every member of this house will feel, that the faith of Great Britain, solemnly pledged to Spain and Sweden, must be religiously observed, and that the preservation of that faith, in all cases of difficulty and trial, is the surest tower of safety of this country, and the best hope of deliverance to the rest of the world. His majesty has expressed the lively satisfaction he has derived from the achievements of his army, in the commencement of the campaign in Portugal. Sir, there is not a hamlet in this empire which did not partake of his majesty's feelings, in viewing the successes which crowned the valour of his troops, whilst they were under the sole command of my right honourable friend; though the nation universally shares in the anguish of his majesty's heart, upon the extraordinary infatuation which sacrificed all the glories of Vimiera to the enemy, yet I trust that the disappointments and difficulties which have occurred, great and severe as they are, will have no other effect than to inspire us with additional vigour, and stimulate us to new exertions in the confidence that the same skill and heroism will hereafter lead to happier results. After all the gloomy predictions which were held forth to us, of the failure of our revenue and commerce during the last session of parliament, it must be matter of the most substantial satisfaction to this house to find that the enemy

has himself chiefly felt the evils of his own injustice. The system adopted by his majesty's government, and the spirit of enterprise and industry which distinguish the commercial dealings of this country above all the nations of the world, have alleviated the mischiefs meditated by France against the resources, credit and commerce of this country, and the revenues are still proceeding in a state of progressive improvement. His majesty has recommended to the house the increase of our military power. In times of tumult and disorder, like those in which we live, our military strength must be made to keep pace with the enemy, and the house feeling that not only the success of our arms in foreign countries, but the defence of our own island depends upon the speedy augmentation of our military power, will no doubt determine with every possible expedition, the best means of obtaining that increase. To me this has always appeared to be the paramount subject of our anxieties and deliberations; and it is highly satisfactory to know, that the measures heretofore adopted for this purpose have succeeded to the full and best of our expectations. It now becomes the wisdom of this house to enable his majesty to avail himself of the military strength of his dominions at the earliest possible period, for without it there can be no hope of a successful resistance of that tyranny which has already desolated some of the fairest portions of the globe, and still menaces with its influence the interest and happiness of the world. For these reasons I most cheerfully second the motion of my honourable friend.

Mr. G. Ponsonby said, the awful circumstances under which the present session was ushered in, he should think would of themselves, without his majesty in his speech having adverted to the deplorable situation of Europe, have inclined the house to enter upon the subject, and to give it their most serious and attentive consideration. His majesty had in his speech informed the house, that there was no chance or hope of closing the present unfortunate contest, but by an active and vigorous perseverance in carrying on the war in which we were now unhappily engaged. He had no doubt but his majesty was perfectly right in this: but though he might agree in the position laid down in the speech, he could not but fear for the issue and event of the contest, when he considered that the conduct of the war was likely to remain in hands so

weak, so feeble, and so imbecile, as those of his majesty's present ministers. Never, he believed, in the history of this country, had it been recorded, that the public force had been directed with so little skill, foresight, and effect, as during the time in which it had been under their controul and management. By the treaty which last year had been entered into with the king of Sweden, this country had stipulated and agreed to pay to his Swedish majesty 100,000*l.* per month, for the purpose of defending himself against those powers whose enmity he had drawn upon him, by his steady adherence to his alliance with us, and so far as the article of expenditure went, his majesty's present ministers had certainly acted with the utmost vigour. How far the forces of this country had acted in co-operation with those of the king of Sweden to forward and support his interests, a short review of that extraordinary expedition would be sufficient to shew. It had, he said, been entrusted to Sir John Moore, an officer who ranked deservedly high in the service of the army, as well as in the estimation of the public. It had been dispatched to, and arrived safe in, the Baltic, and after remaining there nearly two months, had returned to this country without having attempted any thing in favour of Sweden, or without a single English soldier having been mixed or associated with any part of the Swedish army. What reason would be assumed for so extraordinary a procedure? It could not be owing to any misconduct, or want of zeal or activity in the commander to whom it was entrusted; for it was well known that Sir John Moore was, immediately after his arrival, appointed to the command of the army intended to act against the French in Spain; and it was, therefore, if properly estimated, to be taken as a striking and convincing proof of the foresight and vigour of his majesty's present ministers. When, in the height and plenitude of their power, they took upon them to wage war in the manner they had done with Denmark, it behoved them, at the same time, to have taken such measures as should have secured the ships and commerce of this nation against the attacks and efforts of the enemy they had in so vigorous a manner drawn upon it; but, instead of this, Denmark had been able to do us the most essential injuries; and though we had deprived them of their navy, and left them no ships of war, as they are termed, yet the Danes had, in a few months, by their

gun-boats and other vessels of various descriptions, done more mischief to this country, than if they had kept their whole fleet; for it would not have been possible for them, to have coped with our navy, in any regular attack they could have ventured to make on the force we might have sent into the Baltic.

Next to the expedition to Sweden, came into view the lamentable situation of Spain. In bringing forward this part of the speech, the honourable mover had touched on it with great force; he had, in short, said every thing on it which the subject would admit of. It was, beyond a doubt, the most important event which had taken place in the annals of the world since the French revolution in 1789; but when the situation of the affairs of that country, first came out, it would be remembered by all present that it was made known to ministers alone, no other persons had any knowledge of it, all the measures that were advised were communicated to ministers only—all those that were adopted were the acts of ministers alone. In any country, situated as Spain was, it would naturally require the most consummate consultations and advice of the wisest heads belonging to that country, and best acquainted with its powers and resources, to ascertain the best mode of carrying on the contest, whether the services to be rendered them by this empire could be most certainly and securely effected by large armies sent to their support, or by such other means as might be better adapted to the nature of their situation, and would prove more essentially serviceable to the general interests of that country. From such consultations, and the advice consequent thereon, it remained for his majesty's ministers to determine what means it would be the best to adopt and pursue, and having resolved on one or the other, it behoved them to act on it with great activity and vigour. They seemed, however, to have determined on neither, they appeared to have had no fixed point in view, but to have vacillated and fluctuated as circumstances changed, and to have depended on the chapter of accidents. They had acted, evidently, without any settled plan; and from such conduct no good could possibly be expected.

By the inquiry which had been instituted as to the convention in Portugal, it appeared that Sir Arthur Wellesley had been sent out without any particular instructions, he had accepted a sort of roving commission, and

was allowed to act as he might think circumstances warranted him to do. This was, in his opinion, the very worst system that could possibly have been adopted. With an army that was not large, it was altogether incompetent to do any thing effectual. Sir Arthur Wellesley, it appeared, had consulted with the Junta of Galicia; and they thought it best that he should not land his forces at St. Andero, but that he should take them to Portugal, expel the French from thence, and then that they might afterwards make a rallying point for their own armies in Spain. That Junta might wish to act right; but they had certainly been most egregiously mistaken, and the event had proved it.

His majesty, in his speech, had told the house, that "there were some parts of the convention which had met his formal disapprobation." It happened, however, that these parts had hitherto remained an entire secret, till they were thus recently disclosed; for no one that he had met with knew what those parts were. But though no individual has yet been capable of finding them out, it would indeed be extraordinary if that house did not use its utmost endeavours to know them. The vigour of his majesty's ministers had been most peculiarly evinced in this expedition to Portugal; for it appeared, from the proceedings of the board of inquiry to which he had before alluded, to be the undivided opinion of all the generals concerned in it, that the convention was not to be avoided, from the want of every thing essentially necessary for the equipment of the army, and most particularly from the great deficiency of cavalry. How came this to be the case? Was the noble Lord (Castlereagh) so limited in his means, that he could not, from the whole disposable forces of this country, send out more than two hundred cavalry. Was the noble lord in want of transports? Who would imagine such a want as that could ever be in the contemplation of the noble lord, who had so often lamented in doleful strains, and almost with tears in his eyes, the want of those vehicles for our troops, and particularly for cavalry, with which he had accused a right honourable friend of his, not then in his place (Mr. Windham)? Who would have imagined that the noble lord's vigour would so have slept, as that our army should have suffered for want of cavalry so very essentially as to be the principal cause of our generals' being compelled to

agree to a convention which had stamped such an indelible disgrace on the arms of the country. In the papers containing the proceedings of the inquiry, there were some things relating to the cavalry, which were actually ludicrous. One of the generals says, they were old, lame, and some of them blind, and altogether unfit for service; nay, that some of them died on their passage from old age and weakness.

The second reason assigned as an excuse for the convention by the last general of the three sent to Portugal, was time. Where commanders-in-chief relieved each other quicker than relays of post-horses, time had been urged as highly important. It was thought necessary that in a given time the French should be got out of Portugal, in order that our army might march into Spain to the assistance of the Spaniards. Yet though the convention was signed the 30th of August, it was near ten weeks afterwards before our troops reached Spain. The noble lord had conducted the French troops in transports to a port, from which their march into Spain was very short; but our troops had a distance of more than 500 miles to march before they could be of the smallest service to the Spaniards, in assisting them to drive the French out of Spain.

The house had that day been told in the speech, that his majesty had expressed his formal disapprobation of the convention; yet his majesty's ministers had thought proper, on receiving the account of it, to fire the Tower guns. His majesty seemed to have a nicer feeling and a more tender regard for the honour of his arms than his present ministers entertained; and therefore though they had thought proper to fire the Tower guns, he was of opinion that it was necessary to give a formal disapprobation of it.

He thought it would have better become his majesty's ministers to have waited till they knew from the Spaniards themselves, how our army could be most essentially disposed of for their defence and assistance; and then they would not have sent their army to Portugal on an expedition which was ultimately closed by this disgraceful convention, on which they thought fit to bestow the honour of firing the Tower guns. The whole nation, however, thought differently from ministers on this subject, and the first city in the empire thought it proper

and necessary to address his majesty on the occasion. In this address the corporation of the city of London prayed, "that his majesty would be pleased to institute such an inquiry as would lead to the discovery and punishment of those by whose misconduct and incapacity the cause of this country and its allies had been so shamefully sacrificed."

To this prayer an answer was returned, "that it was inconsistent with the principles of British justice to pronounce judgment, without previous investigation." They were received by ministers with peculiar *rigour*; and the lord mayor, aldermen, and common-councilmen, were completely overturned. He found himself, however, at a loss to conceive how any thing contained in this address could be called contrary to any principles of justice. As to British justice, he never knew before that it contained any principles which were not consonant to the justice of other nations. But, in his opinion, ministers had, on that occasion, put into his majesty's mouth language that was neither suited to the constitution of the country, nor proper for the mouth of its sovereign. There was a slippancy in it which was very foreign to the importance of the subject, and the dignity of those concerned in it. If his majesty thought it fit to rebuke his subjects of the city of London for what they had done, there was unquestionably a language much more suited to the occasion than that which had been adopted, which was capacious and petulant, and unworthy the source from which it flowed. It looked as if his majesty's present ministers were irascible at the proceedings of the corporation and citizens of London, who had so often before shewn themselves pliant and amenable to their views, and that they could not brook this deviation from their general rule of conduct.

But the most material point was the mode of sending our army to Spain. Either it was absolutely necessary, or it was not; it was not in his power to determine, as he had no information on which to found his arguments, but the facts which he took from the public papers. If such a measure was necessary, it seemed to him that ministers had lost the only opportunity of doing so. If he was incorrect, it was only from want of better information than that within his reach. One question naturally occurred, which was, did the Spaniards ask for such an army as

would enable them to prevent the French from entering Spain? If they did, it then remained for ministers to take into their serious consideration, what the amount of such an army must be, as would be able to meet and encounter the disposable force which France could bring into the field.

There was, he said, in the house, a document that was replete with information on that head. It was a memoir from the court of Vienna, in 1805, which expressly stated, that at that time the disposable force of France was 500,000 men; and that being before the conquest of Italy, the confederation of the Rhine, and the several other additions which France had since made to its power, it was easy to form an estimate how much more formidable her disposable force must now be. It was therefore a matter of the highest consideration to know how the force of the country could best be used against that of France. He had no doubt but the people of this country were very zealous and anxious to assist the Spaniards to the utmost of their power; but it was the peculiar duty of ministers to ascertain how this assistance might be afforded, so as to produce the best possible effect. He was not blaming ministers for sending troops to Spain, if the Spaniards desired it; but it was necessary this should be done with every degree of caution and consideration to the good to be produced by it. It was not now the first time that this country had afforded its assistance to a foreign power, to enable her to assist and maintain her liberties. The case of the United Provinces was a remarkable instance of it, and he sincerely wished that his majesty's present ministers had on the present occasion followed the example of that wise and enlightened Princess (Elizabeth), in the measures she adopted. She wisely and providently took possession of certain precautionary towns, in order to indemnify and secure herself if her allies should at any time attempt to desert her.

The conduct of ministers in carrying on the war in Spain had certainly been extraordinary. If the means the Spaniards thought proper to adopt were to be detestable, so that when beaten or out-numbered in an open country, they should disperse and retire to their mountains, and descend from those as opportunities might occur, to harass and destroy the enemy, in such case a re-

gular British army would be a disadvantage to the irregular force of the Spaniards, for the two modes of warfare would be incompatible with each other. Ministers may have acted right, but it seemed contrary to his ideas of the matter. He then begged leave to ask what vigour had been used on the present occasion; would the noble lord tell him one instance in which the efforts of the British army in Spain had been either prompt or useful? It could not be said with respect to Sir John Moore's army: there was nothing prompt, because it had done nothing for Spain; nothing useful, because they were not in sufficient force; he was afraid to make a stand against the armies which were at the moment opposed to him.

With regard to that part of the speech which related to Sweden, he could not see how this country could refuse to do every thing in its power for his Swedish majesty. That we should thank him for the courage, gallantry, and spirit with which he had adhered to his engagements with this country; but he lamented that ministers should persist in supposing that the King of Sweden, by continuing at war with France and Russia, could do us any service in the present contest respecting Spain; and he had last year said, he thought the best purpose to which Sweden could employ this money would be to secure a peace with France.

He then observed that he was much surprised, that in the whole of the speech, no mention had been made relative to our intercourse with North America. Much correspondence had passed between the secretary for foreign affairs and the American ministers, which had not been made known to the house. A direct proposal had been made, as he understood, by the government of that country to this, from which it appeared to him the American government had shewn itself anxious and solicitous for conciliation with us. They had offered to lay aside their embargo with regard to us, if we would rescind our orders in council, and at the same time keep it up against France. He thought this a very fair proposal. He by no means approved of that part of Mr. Canning's letter, which spoke of the continental system of blockade, as broken into harmless and contemptible fragments; expressions, he said, of levity and flippancy arising from a momentary gleam of success; and yet if France should succeed against Spain, that blockade would be greater

in point of continuity than it had ever been. The right honourable gentleman had said we should continue our present system as long as a particle of it remained. He begged pardon of the house for having detained them so long, complimented the honourable mover of the address on the very able manner in which he had brought it forward; but thought that both he and the honourable gentleman who seconded the motion were mistaken in supposing the increase of the revenue was owing to the system pursued by his majesty's present ministers. He had no wish or intention to disturb the unanimity of the house on this occasion by opposing the address, but he should take an early opportunity of desiring the opinion of the house with regard to the convention in Portugal, the conduct of the war in Spain, and also as to the conduct of ministers respecting America.

Lord Castlereagh said, that the general approbation which the right honourable gentleman had given to the assistance afforded to Spain, relieved him from a great part of what he should otherwise have had occasion to observe upon; and he should now only have occasion to take notice of what had fallen from the right honourable gentleman relative to the conduct of the war. Whatever might have been the want of vigour in his majesty's present ministers, so much complained of by the right honourable gentleman, he believed the country would not have much more to hope for, if the reins of government should fall into the hands of the right honourable gentleman and his friends, who had given such ample proofs of zeal and anxiety for the welfare and interests of the country, by deserting all those who were then allied for the defence of the cause of Europe. The first objection the right honourable gentleman had made was to want of vigour in Sweden.

With respect to our naval part of that expedition, no one could deny that it had been attended with a most powerful and beneficial effect; and the Marquis de la Romana had, on his arrival here, declared, that if it had not appeared the day it did, his army consisting of 9000 veteran Spanish troops, which it saved, was to have passed into Zealand, followed by that of Bernadotte, for the purpose of taking and keeping possession of it. It had also been attended with the most important and beneficial effects in keeping the Russians in check, and preventing them from greatly damaging, if not destroying, the Swedish navy.

As to the land expedition, it was sent, without waiting for the signing of a particular article relating to it, at the express desire of his Swedish Majesty's minister here, to co-operate with the forces of his Swedish majesty. What was the reason for calling it back, he had no reason to refuse disclosing, except what related to our ally. As to Denmark, it was impossible for the whole fleet of England to prevent the kind of warfare attempted by gun-boats in the summer season, when calms were so prevalent in those seas; but the fact was, that our commerce had suffered in a very trifling degree. He had, therefore, slightly touched on these topics, because he could not pass the mover. He agreed that his majesty's present government had the most important and weighty responsibility attached to them, that had ever been exercised by that of any country; he owned they had only to ask for money and to have it; and he was ready to meet the right honourable gentleman, or any others, on the question, that his majesty's present ministers had used the ample resources which had been entrusted to their management, with as much power and effect as possible; and if the great cause in which they are engaged did not prosper in their hands, it would not be from want of zeal, activity, or vigour, but from a preponderate and overpowering means there was no possibility of accounting for or counteracting. As to the subject itself, it was so extensive and important, he did not know how to shape an argument on it in such a debate as this. If at the time that our troops were in Portugal, and when Spain was setting the most regular armies she had against the enemy in the field, we were to tell that country, "that we were ready to give them money, but not men; that no British blood must be spilt in the contest," such language would have indeed been most unworthy of the spirit and general feeling of this nation, in support of the Spanish cause. This country had nothing to do with the prudence or imprudence of the Spaniards adopting the system of warfare laid down in the "precautions." Whether Spain was to contend against France in irregular warfare or by regular war, was a matter of her own option; and she had at that time made her option for regular war, and for giving battle to her enemies in the field. It was, therefore, the duty and policy of this country to support their cause in the same manner. The speech of the right honourable gentleman (Mr. Ponsdoby), was rather of a prudent cast.

and not in that animated style in which another right honourable gentleman (Mr. Sheridan), had, in the last session, represented the aiding Spain as paramount to all other duties. The right honourable gentleman who spoke this night, seemed to think it was very improper and imprudent for a British army to enter Spain, without having some cautionary towns and forts surrendered to us, to secure our retreat in case of calamity. For his part, he knew of no town of that sort which could be surrendered, except Cadiz; for as to Ferrol, it was not a town capable of answering the object proposed, nor of protecting the embarkation of the army. Now, as it was evident that if we were to make any operations at all, they must be in the north of Spain, he could not conceive that a proposal would be well received in that country for surrendering a town quite without the line of our military operations. If we had made such a proposal to that generous and high-spirited nation, he could not conceive that we could have thrown a greater apple of discord. As to another disposition of the forces which had been mentioned, that of sending Sir Arthur Wellesley's force of 9000 men, to the Pyrenees, to cut off the communication between the 60,000 French troops who were in Spain, and the rest of the 500,000 disposable troops of which the right honourable gentleman stated their army to consist, the bare statement of such a plan must convince the house of its absurdity. If the right honourable gentleman had really no other advice to offer to the house and the country than what he had stated, he rejoiced that his majesty's government had adopted other measures. As to the complaint which the right honourable gentleman had made of want of regular information, he could assure him that it was his wish to lay before the house, as early as possible, every information that would not be prejudicial to the public service; and he was happy to state, that he saw no objection to the fullest information being granted with respect to the transactions in Portugal, which was one of those topics to which the right honourable gentleman had promised to call the attention of the House. He also thought, that very shortly the fullest information might be given with respect to our operations in Spain; and he was sure, that when the time of discussion should arrive, he would be perfectly ready to meet the right honourable gentleman either upon the principles or upon the details of

the question. As to the idea which had been thrown out, of the propriety of directing our forces to Spain in the first instance, instead of Portugal, he must say there never was a fallacy more absurd than the idea of a very inferior force occupying the passes of the Pyrenees, and cutting off entirely the communication between two armies infinitely superior. This fallacy seemed to arise from the idea that an army, when once landed, could put itself on march the next morning, to attack the enemy. There were some persons who appeared to think that an army once landed could act as speedily as a ship when it has left the port. The difference, however, was very great: the ship had nothing to do but to go with the wind, and meet the enemy; whereas an army when landed had much difficulty in collecting provisions, and the means of transporting their necessary baggage. If the present administration were, however, to have waited till every thing was ready for the reception of our armies, they must have stood as still as the last vigorous administration, who actually did nothing while in office. [*Cries of hear! hear! from the ministerial benches.*] He would venture to say, from the melancholy experience of the fate of General Blake's army, that if a British army had landed at St. Andero, and scrambled as far as General Blaken advanced, none of them would ever have come back. He was convinced that there was not a single military man who would support the idea of a campaign in the Pyrenees, for a British army. The right honourable gentleman had stated, that the expedition which achieved the deliverance of Portugal had been sent to sea, to seek its fortunes, without any particular direction from government. The fact, however, was directly the reverse. The expedition under Sir Arthur Wellesley did sail with a most precise and determinate object. It had been ordered to go immediately to the Tagus, without stopping at Corunna. This direction was given in consequence of precise information received from Sir C. Cotton, (which, however, afterwards turned out to be false), that there were no more than 5000 French troops in Lisbon and the other forts upon the Tagus, and that Sir A. Wellesley's expedition would be sufficient to dislodge them. The expedition then was sent out with a precise object and with precise instructions, but it would hardly be contended that government should have so completely tied up the hands and the discretion of such a meritorious officer as Sir A. Wellesley as to say,

that he must on no occasion take advantage of any favourable circumstances which might occur in the varying and fleeting fortune of the war, without waiting until he had made a direct communication to government upon the subject, and had received their answer. It appeared to him that floating armies, under the command of trustworthy officers, might be of great service, even when acting according to the circumstances of the times, without any particular directions from government. He thought that in this manner the corps of General Spencer had been of considerable service in marching from Seville to Ayamonte, and stopping a portion of Junot's army that was coming to the relief of Dupont. As to the attacks which had been made upon him for not having sent sufficient cavalry, he was ready to strengthen the right honorable gentleman's argument, and to admit that it was only by accident that there was any cavalry at all sent. It was not supposed that cavalry was a proper description of force to send with those floating expeditions, which might be a long time at sea, before they found a favourable opportunity for landing. Some of the cavalry, however, which were in Portugal, had happened to come from the Mediterranean. He should always protest against the notion that we were never to engage an enemy, unless we were equal or superior to him in cavalry. He would ask the house, would they wish to blot out from the page of our history, those brilliant victories which we had gained when much inferior in cavalry? At the glorious battle of Alexandria, Sir Ralph Abercrombie had but 150 dragoons, and the French had 2400 cavalry; and at the battle of Maida, Sir John Stuart had no cavalry at all. In the expedition to Portugal, the government had made sufficient provision even of cavalry. Our army would have been superior to the enemy in this respect, if the cavalry which was in Mondego Bay on the 20th (the day before the battle) had landed. The 18th dragoons were also very near. He would allow, however, that if Sir Arthur Wellesley had had the cavalry on that day upon which he routed the French, perhaps more completely than ever they had been routed on a former occasion [*Cries of hear, hear!*] the result of that victory would have been still more glorious. Although he was free to confess this, yet he must entirely resist the idea of government having neglected its duty in any particular. He believed the House must now recollect

what was the temper of the country at the time that there appeared a delay in the sailing of the expedition under Sir A. Wellesley from Cork. Whatever was the enthusiasm which prevailed in the public mind, for the immediate co-operation with the Spaniards, ministers would have been much to blame if they had not acted upon the information which they received from Sir C. Cotton of the state of Lisbon and the forts upon the Tagus. He could assure the right honourable gentleman that, for his own part, after having been attacked for four or five months upon this subject, in a mode that he certainly had not resorted to to defend himself, he should be extremely glad to have an opportunity of defending himself and his majesty's government upon this subject, and that the fair case should be laid before parliament. He could assure the right honourable gentleman that although his sagacity might enable him to lay his fingers on some fault in the present government, yet he felt confident that his majesty's ministers could prove to the satisfaction of the house and the country, that they had not been negligent in the great trust which had been reposed in them; and no greater personal favour could be conferred upon him, than in giving him the opportunity of defending those measures for which he felt himself so highly responsible. As to the inconsistency which was stated between the disapprobation of his majesty of some parts of the armistice and convention, and the joy which his ministers had manifested in the usual manner, on hearing the news of the evacuation of Portugal; he thought this was a charge which might be easily explained. He believed that every body heard with joy the brilliant victories of our army, and the deliverance of Portugal from the oppression and tyranny of France. If the right honourable gentleman himself did not feel joy on those topics mentioned in the speech, he could not conceive upon what grounds he had concurred in the address. If, upon the receipt of the news of the deliverance of Portugal, ministers had not thought it proper to announce the news by the usual demonstrations of joy, their silence would have been considered unfair with respect to the generals who negotiated the armistice and convention. It would have appeared as if the whole weight of ministers and of his Majesty's government was against them. It was not at all extraordinary, that his majesty's opinion on a question submitted to a military tribunal,

should not be expressed in his speech from the throne ; but if the right honourable gentleman chose to seek information in another manner, it would not be difficult to obtain it. As to the answer which had been given to the address of the City of London, he believed that the right honourable gentleman would find it very hard indeed to persuade the City of London that his majesty's ministers were actuated by any other view in the advice they gave his majesty on that subject, than the sense which they felt of their public duty, and much less that they could have any wish to use language to the City of London which could be conceived harsh or irritating. They did, however, think, that the business had begun to take a complexion of party, and that the City of London had been surprised into that address, which appeared to take for granted, that there must have been guilt somewhere, and to demand the punishment of the authors. The answer was in plain but not disrespectful language ; and in using such language his majesty conceived that he was taking the best means of securing the confidence of that City which had given him so many proofs of its affection. As to the notions which the right honourable gentleman had given, nothing could be more gratifying to his feelings, than that those subjects should have the fullest discussion in parliament. This was necessary, not only for the justification of ministers, but that the country should feel the confidence which it was necessary that they should have in the present critical situation of affairs. He therefore congratulated the country that parliament was now met, and that those subjects which were so interesting to the feelings of the nation, and to its honour, would soon be fully and fairly discussed.

Mr. *Whitbread* said, that he had no intention of answering all that had fallen from the noble lord. A great part of his speech had been taken up in planning imaginary campaigns, in order to shew how ridiculous they would be. He could not agree with the noble lord as to the happy result of the campaign in Portugal, although he felt as strongly as any man the glory which had been gained at *Vimiera*, and which, indeed, dated the spirits of every man in the country. The noble lord, however, must recollect, that that which was brilliant in the campaign had been announced for weeks before the *Park* and *Tower guns* had been fired to announce the armistice and convention.

The noble lord asks us, "what! would you not rejoice at the successful termination of the campaign in Portugal?" The answer, however, was obvious. It was impossible to rejoice at that which was a subject of deep regret—that the campaign in Portugal should have terminated by such an armistice and convention. The noble lord had said, that the City of London had been mildly and moderately reproved for condemning without information. Not to speak of the mildness or moderation of the reproof, he must say, that it was extraordinary, that precisely the thing for which the City of London was reproved, parliament was now called upon to do. (*Cries of hear! hear!*) They were then called upon to concur in that part of his majesty's speech, which expressed disapprobation of some of the articles of the armistice and the convention, without any information at all upon the subject being before the house. It appeared to him that no inconsistency could be greater than that. He should not go into a discussion of the details of the equipment of the expedition: but common rumour reported that there was a difference of opinion between the government and the commander in chief upon that subject, and that the latter asked in vain for cavalry horses, and horses to draw his artillery, and was finally obliged to buy many of them at his own expense. He could not help noticing and condemning the light and fanciful manner in which the noble lord spoke of our campaign in Spain. When it was considered that one of the greatest armies which this country had ever set in the field was now in Spain; that it was under an officer of the first merit in his profession, and that, nevertheless, it was under the necessity of retreating; when it was considered, that news had arrived this very day of Buonaparte, with an army three times superior, hovering near it and threatening its right wing; and when it was also considered, that perhaps before the house should break up that night it was not improbable that intelligence might arrive of still greater calamities, he did not conceive the noble lord was justified in talking so lightly of our operations in Spain.

He must declare, that the country was now coming to that state, whether by the mismanagement of ministers, or by the force of events, that party considerations must cease. (*Cries of hear! hear!*) He should rejoice much to find that ministers could clear themselves from any charge of

mismanaging the resources of the country, and prove that all the disasters which have recently happened, proceeded only from that course of events which was beyond their control. If, however, these disasters should appear to proceed from the misconduct of ministers, he thought the House should demand condign punishment on their heads. He could not blame the ministers for sending a British force, in the first instance, to co-operate with the Spaniards: but since then, they had had time enough to consider whether the sending a British army into Spain was likely to be of any service; or whether, on the contrary, the retreat of it would not do a positive mischief, by disheartening the Spanish patriots. It was now doubtful whether we had not been proceeding on false information all along, both with respect to Spain and Portugal. We were not now so sure as we formerly thought ourselves, of the feelings of Spain; we were not perfectly content with the reception which we had met with in the different provinces of that country. The Marquis de Romana complained of the reception which the inhabitants of the north gave to the French troops, which made it seem as if they would be well content that the French should conquer. Although we must condemn the ambition and injustice of Buonaparte, in his attack upon Spain, yet the means which he pursued for the attainment of his object were extremely judicious. He abolished the inquisition, feudal rights, and unequal taxation. This was certainly holding out some temptation to the people to acquiesce in the changes which he wished to introduce. Unless every Spanish heart could be embodied in the cause which was now at issue, there was very little hope of ultimate success. There were parts of the address which had not his concurrence, and yet he did not like to move an amendment. As to that part of it which spoke of vigorous and persevering exertions, he would allow generally that they were necessary, not only in contemplation of war, but even on the eve of negotiation; but if that expression meant any thing like *bellum ad internecionem*, he must differ from it altogether. He, by no means, condemned ministers, for not accepting the propositions sent from Erfurth, as there was no man in the country who could admit of the abandonment of Spain, as a preliminary to peace; but what he found fault with was, that the country was apt to run wild with every gleam of good success.

When the Spanish patriots were successful last summer, nothing was spoke of, or thought of, in this country, but the utter ruin of Buonaparte: and many politicians of the old school were thinking even of the divisions into which France was to be cut up. It was miserable for the country to be led so far by every tide of good success. Even if the Spaniards had driven the French out of their country, they would have done but little more against the overgrown power of France. He recollected, that at different periods of the war, it had been said that England would never make peace unless this thing and the other was given up by France, and yet we afterwards were ready to treat with her, allowing her to retain those things. A few weeks after a negotiation failed, we were always ready to call the man, with whom we had been content to negotiate, an atrocious usurper. He thought that ministers were not only justifiable in refusing to treat on the terms offered at Erfurth, but that they would have been the basest of mankind if they had accepted such a preliminary. He could not, however, avoid regretting that the country had lost so many fair opportunities of negotiating a peace, and that it had at length been reduced to such a foul opportunity, that it could not have accepted without eternal disgrace. The reason that he did not approve of the treaty with Spain was that England was bound by the engagement she had entered into to do all she could to assist Spain if there had been no treaty, and she could not do any more after the treaty. She would, however, appear somewhat disgraced in the eyes of the world, by entering into a solemn treaty which she had no means of fulfilling. As to Sweden, whatever we might feel of advantage from the trade we have through that country, he was sure it would be much better for the poor inhabitants of Sweden and Finland that our subsidy of 100,000*l.* per month was removed, and that they were allowed to make such peace as was suitable to their interests. As to the firmness and magnanimity of the king of Sweden, they were qualities fruitless to us, fruitless to the cause of Spain, and perhaps ruinous to his own subjects. This last consideration detracted considerably from their merit. He would, however, agree that it was necessary for us to furnish the succours stipulated in the treaty. He could not avoid expressing satisfaction at hearing of the improving state of the revenue; he could not at the same time avoid stating, that the

improvement of the revenue was always attended with an increase of the influence of the crown, and with an increasing corruption of the country. He could have wished, that in the speech some intimation had been given that the report of the finance committee would have been taken up, and, if so, whether some retrenchments might not be made. If this were done, the country would pay with more satisfaction what was absolutely necessary. He should wish to hear from some minister that that committee was to be revived, and who were the men that were to compose it. At least, he should hope, that a set of men would not be placed in it for the purpose of counteracting the labours of the other. If this were done, it would gratify the people, if it could not relieve them. He did regret that nothing had been mentioned respecting our relations with America. The same infatuation seemed now to prevail with respect to that country, that existed in the time of the late American war. There were the same taunts, the same sarcasms, and the same assertions, that America could not do without us. He must deprecate a war with America, as being likely to be much more injurious to us than to them. The right honourable gentleman (Mr Canning), had, to a proposition most just and reasonable (as appeared to him), returned such an answer that accommodation seemed at an end, and the American legislature almost unanimously resolved upon shutting all their rivers and ports against our trade. What good had resulted from our orders in council? the French armies took the field and wanted for nothing, although we predicted that we could ruin them by depriving them of medicines and colonial produce. He hoped, however, that the subject would again be discussed in parliament, and that they might be able to find a way to heal those wounds which the right honourable gentleman had inflicted.

Mr. Secretary Canning was surprized, that when the honourable gentleman considered the times such as should preclude all party considerations and party questions, he should yet call for condign punishment on ministers. (*No! No! from Mr Whitbread and other members*). If, in employing the force at their disposal in the manner that the general feelings of the nation called for, ministers had done wrong, they had certainly a great responsibility; but he was convinced that it would not appear that there was any negligence or criminal inattention to the great

interests of the country. The house had then heard only two of those who were probably to be of the committee of the accusers of ministers, but they had received but little light from them. The two gentlemen, however, appeared to be of opposite opinions. The right-honourable gentleman (Mr Ponsonby), had stated that he had got almost all his facts from the newspapers. He should have supposed that it was his arguments that he got from the newspapers, but he could not conceive where he got his facts. He began by saying that the "precautions" were drawn up by the central junta, and that government should have consulted them instead of the junta of Galicia. He had forgotten that there was no such thing as a central or supreme junta in July, and that it was not assembled till the latter end of September. The fact was, the whole of the Spanish nation rose simultaneously, as by a miracle, and were governed by their respective provincial juntas, who were each of them jealous of the ascendancy of another province. Three of these juntas sent deputies to us, Asturias, Galicia, and Seville. The physical means of this country would not have been sufficient to have subsidized all the different provinces of Spain, as if they had been separate kingdoms. Nevertheless, supplies and aid in money and arms were sent to the different provinces, but the juntas were informed that a British army could not be sent into Spain until there was one general junta presiding over the whole kingdom. The Spanish patriots were informed that a British army could not be allowed to act any other way than *en masse*, and under its own generals. Government could not think of sending cavalry to one province, artillery to another, and frittering away the British army in small detachments, to be commanded by Spanish officers. Spain was informed that as soon as a theatre was afforded for a British army to act, that it would act. An expedition under Sir David Baird arrived at Corunna ten days before provision had been made for its reception, but what would the accusers of ministers have said, if they had lost the favourable wind in waiting to send messages to Spain and receive answers? he was convinced that there was nothing which human foresight or diligence could have effected that was not done. He thought that at the close of the last session, it was perfectly understood by all parties that the assistance to Spain should be given in such a manner, as to shew that this country had no

selfish or sinister object. It was not therefore for this country to propose to Spain any reforms in her government. Buonaparte might destroy institutions and introduce others, but it was not becoming this country, although possessing the freest and happiest constitution, to hold cheap the institutions of other countries, and to make its auxiliary army appear like a domineering garrison in the country. We could not make the Spaniards a braver people than they now are; and they would be freer and happier by their own reforms. When the supreme junta invited all the wise men and literati in Spain to join their ideas about the reforms that were necessary in the state, it was evident that they were not indifferent about the amelioration of the country, although the immediate objects of the war was for their sovereign and their national independence. He was convinced, independently of the circumstance of Portugal being an old ally, if it were only to be looked on as part of the Spanish peninsula, the Tagus was a more proper destination for the expedition than St. Ander. On the principle of cautionary towns mentioned by the right honourable gentleman (Mr. Ponsonby), what place could answer that object better than Lisbon, where he could assure the right honourable gentleman, that (whatever he might have heard to the contrary) the English and the Portuguese lived in the greatest harmony. If the right honourable gentleman had looked over the last file of newspapers, he would have found another curious plan of landing at Bilbao, and taking Pampeluna. As to the treaty with Spain, government thought it was better that their engagements should have the solemnity of a treaty than founded merely on the sympathy of feelings. They thought that so solemn a recognition of the Spanish government might be of service in that country; they were well assured, that if government had refused to acknowledge the junta in that solemn manner, Joseph Buonaparte would have made a handle of its hesitation to dishearten the adherents of the patriotic cause. There were one or two other points to which the honourable gentleman (Mr. Whitbread) had asserted that no answer had been given. The first was the omission of any mention of America in the king's speech. This had been done, because ministers had no statement as to any change of American circumstances to make. The honourable gentleman thought ministers much to blame in their con-

duct of the American negotiation; but this was not a case between America and England, but between belligerents and neutrals. The question was, whether France or England was the aggressor; and America had, it would appear, sided more in favour of France. The justification of France to the Berlin decree was, that England was the first to violate neutralities; and this statement America countenances. She always talks of the aggression of Great Britain, and the retaliation of France. The right honourable secretary intreated the house not to suppose that the American embargo, that was to be paired off with our orders of council, was the consequence of those orders. The orders of the 7th of January bore an honourable appearance; and whatever blame might be thrown on those of November, at least, they did not hinder a reconciliation; for attempts at reconciliation followed immediately. The right honourable secretary then alluded to the affair of the *Chesapeake*; and said, that his opponent had criticized the language of his (Mr. Canning's) note: this, however, he should bear; he should not *smouch* his antagonist; but if the right honourable gentleman would read through the note, in which the expression so offensive to his taste occurred, he would see, that if we had accepted the American overtures, our ships would not have been admitted into the American ports, and the French would; where they would have formed a nest of privateers; and these were the equal proposals which ministers had rejected. The right honourable gentleman took great interest in the affairs of another country, which had not been noticed in his majesty's speech (Turkey). The right honourable speaker could say, that last spring a direct invitation for a negotiation had been made; and that no accounts had been received from Mr. Adair, since his sailing for Malis in September last. Rumours had reached ministers, but nothing certain. Both the gentlemen on the other side who had spoken, had manifested an anxiety about Sweden, and the right honourable secretary was not disposed to contradict their proposition as to Sweden's making peace with France. There could not be a doubt that any arrangements, satisfactory to the interests of Sweden, would be satisfactory to ministers. The right honourable secretary concluded with pointing out the delicate situation of ministers, placed as they were between the popular feelings, and a desire to do right; but as to maintaining

any other opinion than that which they conceived to be the just one, whether it came from one side of the house or the other, he trusted the gentlemen would acquit ministers from any such intentions. The right honourable secretary congratulated the house on the commencement of that campaign of opposition, which, if it were carried on as it was begun, would, doubtless, contribute to the material improvement of the house.

Mr. Tierney deprecated the idea of any intention in his friends to address ministers as if they were on their trial: if they were so, it must be a jury of their own packing; for nothing else could lead the right honourable secretary into the vein of pleasantry which ran through his speech. Whenever the right honourable gentleman opened his mouth, the muscles of the house relaxed. The whole of his present joke, if it could be called so, consisted in saying, that his (*Mr. Tierney's*) friend's arguments were borrowed from newspapers: he thought they were quite as good as, if not better than, the right honourable gentleman's, let them come from whence they would. The right honourable gentleman then took a view of the various topics of the evening's discussion.

Mr. Rose, junr. Mr. Alex. Baring, Mr. Alderman Combe, and Mr. Herbert followed; and the question was then put and carried without a division.

HOUSE OF LORDS.

FRIDAY, JANUARY 20.

LORD BORINGDON'S DIVORCE BILL.

Lord Walsingham presented a petition from lord viscount Boringdon, praying leave to bring in a bill to be divorced from his wife.—Leave being given accordingly, the bill was brought in by Lord Walsingham, read the first time; and finally passed.

NEGOTIATION.

The Earl of Liverpool, by his majesty's command, laid on the table the correspondence with France and Russia, relating to the recent overture for the commencing a negotiation for peace. Ordered to be printed.

HOUSE OF COMMONS.

FRIDAY, JANUARY 20.

Mr. Canning brought up the papers relative to the correspondence from Erfurt, and moved that they should be taken into consideration on Thursday next.

COURT OF INQUIRY.

Lord H. Petty moved for the "report of military officers constituting the board of inquiry into the armistice and convention of Cintra," and also for "the formal disapprobation of his majesty, concerning certain particulars of that event." This was a motion which he trusted would call forth no opposition, as even the inconvenience of the slightest delay relative to the production of these papers, must be obvious to the house. When they were produced, he meant to make them the foundation of a motion.

Lord Castlereagh professed that government were willing to give every facility possible to the object of the noble lord.

Mr. Wardle gave notice, that he would, on Friday next, make a motion relative to the conduct of his royal highness the Duke of York, in the sale of commissions, their exchange, and the raising of levies thereon.

REPORT OF THE ADDRESS.

The honourable *Mr. Robinson* brought up the report of the address voted to his majesty, which was read a first time.

On the motion for its being read a second,

Mr. W. Smith rose, not for the purpose of any fastidious opposition, but merely to express a few opinions which he entertained on the subject. Many propositions of peace had been made to this country for the last sixteen years, every one of them fraught with some disadvantages, and which were always increased on each successive application. Now, though he undoubtedly coincided with ministers in their refusal of the last proposition (an acceptance of which would have for ever stained the honour and integrity of the nation), still he could not accede to the opinion that we were to listen to no proposal while Spain remained in the hands of France, a pledge by no means

politic or called for. With respect to Sweden, it had been hinted, that the payment of our stipulated subsidy should not be considered as a tie on her not to make peace when an opportunity occurred; no doubt, the destinies and future political contingencies of that country were liable only to the judgment of her government; but yet, if this principle was admitted, and if a condition of the treaty of peace proffered to her should be an association with the Northern Confederacy for the purpose of shutting the Baltic, what would be the consequence? Why plainly this: that our money, paid to a supposed and nominal ally, would tend to the creation of an efficient enemy! The right honourable secretary of state seemed particularly anxious that night not to be considered in the light of a culprit called forth for examination. He hoped ministers would be enabled to exculpate themselves; but if it appeared that they had heedlessly involved the interests of the country, that a fine army entrusted to their management was at this moment, perhaps, passing "*sub furca*," there certainly was blame attachable either to those who planned or executed such measures. A fatality for many years had attended the measures of this country, but still the interference of secondary causes was allowed; and if it should be apparent that human wisdom had not been sufficiently exerted, that favourable opportunities had not been carefully improved, and that adversity had fallen on us, not through necessity, but neglect, then, indeed, government did deserve the verdict of culpability and its natural consequence, the most severe censure.

The report was then read a second time, approved, and ordered to be presented to his majesty on Monday.

HOUSE OF LORDS.

MONDAY, JANUARY 23.

ORDERS IN COUNCIL.

Lord Auckland stated, that a noble friend of his (*Lord Grenville*), whose absence, on account of illness, he had to regret, but whose illness would not, he hoped, be of long continuance, had requested him to state to the house, that if he (*Lord Grenville*) had been enabled to be present, he should have joined in every tribute of applause to the merits of *Sir Arthur Wellesley*. His noble friend

had also requested him to move, that the lords be summoned for this day fortnight, when it was the intention of his noble friend to bring forward a motion to address his majesty to rescind the orders in council; and to found that motion upon the letter which had been published from Mr. Pinkney, the American minister to our government; and the answer of the secretary of state. It was requisite that these papers should be before the house, and his lordship, therefore, moved for the production of the correspondence between the ministers of the two governments.

The Earl of Liverpool wished to confine the production of papers to those which had been published by the American government; and observed, that no communication was made to parliament respecting America, because our existing relations with the United States were not in that state which would authorise such a communication.

BATTLE OF VIMIERA, &c.

The Earl of Liverpool rose, pursuant to notice, to move the thanks of the house to the right honourable Sir A. Wellesley, K. B. and to the officers under his command, for the victories gained by them in Portugal on the 17th and 21st of August last, especially for the glorious and signal victory achieved on the latter day, by the British troops under the command of that gallant and distinguished officer. In the view which he was prepared to take of this splendid subject, it was his anxious wish and intention most strictly to adhere to the matter of those achievements, and most religiously to separate them from any other topics, respecting which in the subsequent issue of the operations in Portugal, a diversity of opinions might be expected to prevail. He should therefore briefly advert to what had passed from the landing of Sir A. Wellesley in the Mondego Bay, to the issue of the battle, so gallantly fought at Vimiera. The march from the Mondego to Vimiera, was achieved in about twelve or fourteen days, and when the nature of all the circumstances attendant on that march are duly considered, the march itself, had nothing else followed, should be considered as an extraordinary achievement. It was entered upon with not more than 13,000 men, and in the course of its progress the additions which the army received did not make

it amount to 17,000 men. With that number Sir A. Wellesley had undertaken to expel the French from Portugal. Such indeed was the suggestion of his own judgment, as well as the tenor of the instructions with which he had been furnished by government. The number of the enemy proved afterwards to be more considerable than at first had been expected, and in the action of Vimiera, the far greater portion of that force was employed. In short, it was the impression made by the issue of that engagement, which led to the accomplishment of the great object of the expedition, the deliverance of Portugal from the French. In the battle of Vimiera, a display was made of the judgment, gallantry, conduct, and intrepidity, which, as far as the amount of the numbers engaged, has not been surpassed by any former exploit. It attested, beyond controversy, the bravery of the British troops, and proudly contributed to uphold the character and glory of the British arms. Such being the aspect under which he imagined it must be viewed, both by their lordships and the country at large, he could not but regard it as one which fully justified the motion with which he should conclude, and in which there was every reason to expect that their lordships would unanimously concur. Perhaps, however, that might be a wish in which he was inclined too fondly to indulge. Indeed it had been given him to understand, that some objection might be made to the motion, because it was not to include the name of Sir Harry Burrard. He was at a loss to see any just ground of objection arising from that omission. It was an omission which could never have been intended to insinuate the smallest disrespect for the character or disapprobation of the conduct of that estimable man, and able officer, as far as either could be involved in the object of the present motion. To any thing subsequent to events immediately connected with the motion, the motion with which he should have the honour to conclude, had no relation whatever, and would not go in any respect to pledge the opinion of any noble lord respecting it. As to the nature of the objection, which from a private communication, he was informed would be urged against it, he could only say, that in his estimation it could have no weight, except from the respectability of the noble lords, by whom it might be urged. It possibly might be objected, that by conferring a vote of thanks of

that house on the achievements referred to of Sir A. Wellesley, the omitting the name of Sir H. Burrard, would be construed into a stigma on the military reputation of that officer, who at the close of the glorious action at Vimiera, was understood to have had the chief command. For such an objection he did not think that any noble lord could adduce the least foundation, especially when the particular circumstances in which Sir H. Burrard was placed, and the opinions which he himself had officially expressed, were duly weighed and considered. It might be said that Sir H. Burrard had arrived on the field before the battle of Vimiera was concluded, it might be said that previous to that battle he had been consulted as to the antecedent arrangements that had been made by Sir A. Wellesley, and which arrangements were universally acknowledged to have prepared the brilliant success of that day. It might be said, that during such consultations Sir Harry Burrard ought and actually was considered as the commander-in-chief, and that therefore Sir H. Burrard was by right included in the present motion of a vote of thanks. He was ready to admit the truth of these premises; but he could not acknowledge the necessity of acquiescing in the conclusion that was drawn from them. Several instances might be mentioned when votes of thanks had been moved and unanimously carried in that house, to officers who had distinguished themselves in separate and subordinate commands, without such votes having ever been considered as any disparagement of the merits or claims of those officers who, upon such occasion and on such services, were invested with the chief command. He should content himself with referring to two of those instances, namely, when that house had passed a vote of thanks to Lord Nelson, for his achievements at the Nile, and at Copenhagen, on both of which occasions he had acted under a superior officer; yet it never then entered any noble lord's mind, that such a vote of thanks bestowed on such splendid services, was any derogation from the military merit and character of the gallant admirals who at the time were invested with the chief command, so far for the precedent. Now if attention was to be paid to the opinion and language of Sir H. Burrard himself, as conveyed in his dispatches, communicating the glorious result of the engagement at Vimiera, what was the inference to be deduced from them?

Did not the gallant general himself declare, that he approved of the arrangements that had been made by Sir A. Wellesley at the commencement, and during the continuance of the action, that he instructed him to persevere in them, and that he declined assuming to himself any of the merit and glory of that splendid achievement. If any thing was particularly handsome and praiseworthy in this behaviour of Sir H. Burrard, it was, no doubt, the magnanimous self denial on this part, which induced him to forbear any interference in a work that had been so judiciously begun, and so gloriously terminated by Sir A. Wellesley. Indeed, he could not help observing that any opposition to the present motion supposed to grow out of a different interpretation of the sentiments of Sir H. Burrard, could not in his opinion, so much redound to his praise as the conduct which he had himself pursued on that occasion, and which, in relating the event, he had so modestly and forcibly exemplified. Nothing most certainly could be further from his mind than any intention to throw the slightest slur on the character and conduct of Sir H. Burrard by proposing a vote of thanks to Sir A. Wellesley. On the contrary he felt that every praise was due to him for appreciating as he had done, the important and signal services performed by Sir A. Wellesley on that occasion. They certainly struck him as of the most splendid and important nature; and, whatever might be the complexion of the events which had since occurred, this only confirmed him the more in the justice and propriety of the motion, which he should now have the honour of submitting to their lordships. The noble earl then concluded with moving, "that the thanks of that house be given to the right honourable Sir A. Wellesley, and the officers under his command, for the important and signal victory gained by him at Vimiera, on the 21st of August last."

Lord Moira rose and expressed his regret that a sense of duty must compel him to object to the motion of the noble earl in the terms in which it now stood. He trusted it would not be imagined that in urging any objection to the present motion, he had the least wish or intention to derogate from the merits and glory of Sir Arthur Wellesley. He would be the last man in the world to tear a sprig from the wreath of laurels that so deservedly encir-

clouded the brow of that gallant and distinguished officer, whose exploits that house and the country had had such frequent occasion to acknowledge and reward. In rising on the present occasion to state his objections to the tenor of the motion, he could be swayed by no other motive but a sense of duty, which he conceived to press upon him more urgently than perhaps upon any other noble lord, on account of the painful task imposed upon him, in the part he took as a member of the late court of inquiry. There was laid before him a minute account of the conduct and operations of the different generals who successively had the command of the British army in Portugal. From that account it appeared that Sir H. Burrard arrived on the coast of Portugal on the 20th of August the day before the battle of Vimiera: that in the evening of the 21st, Sir Arthur Wellesley had explained to him the nature of what he had already done, and of what he intended to do: that Sir H. Burrard even then, signified a wish, that further offensive operations should be abstained from until the arrival of the expected reinforcements: that on the next day a battle ensued, and that Sir H. Burrard, in immediately proceeding to the scene of action, was apprised of it, and guided only by the noise of the firing: that upon entering the field, and learning the state of things, he approved of the plan and measures pursued by Sir A. Wellesley, which plan and measures he certainly was not disposed to disturb or alter, as circumstances then stood. Through the whole of this conduct, their lordships must observe, that Sir H. Burrard, by approving the measures of his predecessor in command, had subjected himself to all the responsibility that might be incurred by the result; and that, if a defeat, instead of a victory, had ensued, upon Sir H. Burrard would have fallen the due weight of the blame or disgrace of the disaster. If then he had so far taken upon himself the responsibility of the consequences, was it more than justice that he should participate at least equally in the honours bestowed on an enterprize, to the blame of which had it otherwise turned out, he had rendered himself liable by his approval of the steps taken by Sir A. Wellesley. This was a consideration which would no doubt weigh with their lordships, not only as one which nearly touched the reputation of a gallant officer, but which must tend to have considerable influence and effect upon the military service in general. Too much caution could not be ob-

served in making distinctions such as the present motion would inculcate and sanction, nor could that house be too much on their guard in conferring the high honour of their thanks on any ordinary occasion. With him at least, these motives, and a regard to the justice that was due to the character of Sir H. Burrard, had sufficient weight to induce him to object to the motion as it now stood, and to move as an amendment, that the name of Sir Harry Burrard be introduced into the wording of the motion.

Lord Harrowby could not see the force of the arguments adduced against the motion by the noble baron who spoke last. It never could be the intention of his noble friend who moved it; it certainly was the remotest thing possible from his mind to insinuate any thing like blame to Sir Harry Burrard, or in any way directly or indirectly, to detract from his merit or character as an officer; on the contrary, in concurring with his noble friend in the present motion, he did not but believe that he concurred in the wishes of Sir H. Burrard himself. For who could be supposed to feel more anxious for just honours to be paid to those services than the man who had sanctioned by his approval the measures which had been adopted to give them effect. Let noble lords bear in mind the encomiums passed by Sir H. Burrard on the conduct and achievements of Sir A. Wellesley; let them recollect the dignified and magnanimous forbearance with which he had abstained from assuming the command, under the circumstances as he found them on his arrival; or arrogating to himself any share of the merit which arose from the glorious issue. Sir H. Burrard, in so doing, acted a most generous and noble part. The language of his dispatches bore testimony to the claims of Sir A. Wellesley, and to the conduct which were the grounds of those claims. (Here the noble lord read extracts from the dispatches to prove his assertion,) and contended, that to impute any other feeling to Sir H. Burrard than those which his dispatches conveyed, would indeed be depriving him of the honour to which such a liberal and disinterested conduct had so eminently entitled him to. He should therefore imagine Sir H. Burrard would be the last man who could wish any objection to be made to the present motion. If not, he had no claim, in his opinion, to the praise which the language, manner, and import of his dispatch so fairly entitled him to. As to the

observation of the noble baron (Moir), that such honours, as the thanks of that house, should not be indiscriminately bestowed, he perfectly agreed with the noble baron that they should not, but he widely differed from him indeed, if the observation was meant to insinuate that such a victory as that of Vimiera was not of that splendid and distinguished description, which justly claimed the fairest rewards that could possibly be bestowed upon it. He was truly sorry that on such an occasion there should occur any thing to disturb the unanimity of the house.

Lord Sidmouth was ready, on all occasions, to pay the utmost deference to the opinion of his noble friend who moved the amendment, but more particularly on topics of the nature of the present. It was with regret therefore, he felt himself obliged to differ from him on this occasion. For the character of Sir H. Burrard, as an officer and a man, he entertained the highest respect, and nothing in the world should induce him to assent to any motion which could have the slightest tendency to disparage the merits of that gallant general. So far from harbouring any such disposition, there was no praise which he did not think due to him for the manly, disinterested, and noble part which he acted in approving the conduct of Sir A. Wellesley, and in continuing that distinguished officer in command during the remainder of that glorious day. To suppose that he regretted such a conduct, would be to tear from him the most splendid portion of the praise which he might justly claim for his disinterested self-denial, on that occasion. If he had any claim to the thanks of that house, it was for having observed such a behaviour, and those who would deny that claim would be those who would derogate from that merit. As to the exploits of Sir A. Wellesley, in the services referred to in his noble friend's motion, nothing in his mind was more splendid, or more likely to uphold the military character of the country, in the eyes of Europe. Of that character we could not be too tender and jealous, especially at a moment like the present, when so much depended upon it abroad, and so much might also depend upon it at home. Nothing should be held so dear as the character of such men as Sir A. Wellesley. It was a treasure as well as an honour to the country; and so anxious was he to see unanimity prevail on the present occasion, that he must venture to request his

noble friend might be prevailed on to withdraw his amendment.

Lord Buckinghamshire expressed the same sentiments of admiration for the services and character of Sir A. Wellesley; and asked the noble baron who moved the amendment, who could be better judges of the conduct of that gallant general, than the officers who served with him in the memorable battle of Vimiera. He might mention among others, generals Spencer and Ferguson. Did not they ascribe to him all the merit of that day. Was it not their opinion that had the victory of Vimiera been followed up, the most important and glorious result might be expected from it?

Lord Moira in explanation said, that his interpretation of the evidence of general Spencer was somewhat different. To the best of his judgment, he did not hesitate to say, that Sir H. Burrard was perfectly justified in stopping the pursuit of the enemy, under the circumstances in which he was placed at the moment. Notwithstanding what had been urged by his noble friends, he could not but persist in entering his protest against the motion of the noble earl. At least he should now move that the motion be withdrawn, and the debate adjourned, until the name of Sir H. Burrard was introduced into it.

Lord Grosvenor nearly concurred in the opinion of Lord Moira.

Lord Mulgrave went somewhat minutely into the history and merits of the operations in Portugal, and paid every tribute of praise to the very distinguished part which Sir A. Wellesley had acted in them. The services of that gallant general were, in his opinion, highly deserving of every distinction which their lordships' house could confer upon him.

Lord Auckland spoke in favour of the motion.

Lord Erskine spoke at some length in support of the amendment.

The question was now anxiously called for, and was put on Lord Moira's amendment, which was negatived without a division; and the original question being then put,

Lord Moira observed, that the house having overruled his amendment, he should withdraw his objection to the present motion, which was then agreed to *nem. dissen.*

HOUSE OF COMMONS.

MONDAY, JANUARY 23.

At four o'clock, the Speaker counted the members present, and there being only 39 (one fewer than is necessary to constitute a house), an adjournment till to-morrow consequently took place.

HOUSE OF LORDS,

TUESDAY, JAN. 24.

BATTLE OF CORUNNA.

The Earl of Liverpool gave notice, that he would, to-morrow, move the thanks of the House the Lieutenant-General, officers, and army, who defeated the French before Corunna, on the 16th inst.; and moved that the Lords be summoned.—Ordered,

HOUSE OF COMMONS.

TUESDAY JAN. 24.

Lord Stafford communicated at the bar his majesty's most gracious answer to the address of the House, in answer to the speech of his majesty's commissioners on opening the session last Thursday.

COMMITTEE OF FINANCE.

The Chancellor of the Exchequer now rose, to move for the revival of the committee for inquiring into the expenditure under the several heads of revenue, commonly stiled the committee of public Finance. On the propriety of reviving that committee, he conceived there could be no difference of opinion, and therefore he felt it unnecessary to detain the House long upon that point; but as he contemplated some change by reduction in the number of members, from what had been settled last year, he should in the first place, state his proposition to the House, and wait to hear if any objections should be made to it. The honourable friend opposite to him (*Mr. Bankes*), who had so ably and efficiently for the public service, and so honourably for himself, filled the chair of the finance com-

mittee for many successive sessions past, would see, that the idea of reducing the number of the committee originated in a suggestion of his own, that by such an alteration, greater dispatch would be effected in the disposal of the business referred to them; and the profits of their labours could, by such means, be more speedily and more frequently laid before parliament; and dispatch must be allowed as a desirable object, so long as it was no impediment to the discovery of truth. In proposing to the House the names of the members to compose this list, it was by no means his wish, nor could it, he thought, be conducive to the objects of the inquiry, that they should all be men of the same political sentiments. It was likely that the inquiry would be more efficient if made by a committee of gentlemen, whose political attachments were on each side of the House. He should, therefore, propose, as a basis, the list of 25 members who composed the last committee, and reduced them by selection to 15, the number he proposed for the new committee; and so far was he from wishing to mark in the selection any thing like what might be supposed a leaning towards his majesty's ministers, he was anxious rather that the balance should tend the other way. In making this selection, conformably to the suggestion of his honourable friend, who had so ably filled the chair of the former committee, he thought it of the highest importance to retain his name; and expressed his hope that his honourable friend would have no objection to resume the duties of a situation in which his talents, his discernment, and his zeal, were so well calculated to give effect to the labours of the committee. The right honourable gentleman then read to the House the list of fifteen, viz.

Henry Bankes, Esq.

Henry Thornton, Esq.

J. H. Leigh, Esq.

Lord Henry petty,

Henry Joddrell, Esq.

Isaac H. Browne, Esq.

Hon. Denis Browne,

R. M. Biddulph, Esq.

Richard Ellison, Esq.

Nicholson Calvert, Esq.

James Brogden, Esq.

Right Hon. P. Carew

Right Hon. H. Grattan

Richard Warton, Esq.

Lord Archibald Hamilton.

And he moved, that they be appointed a committee to inquire and examine, &c. as before.

Mr. Bankes said, he had certainly mentioned to the right honourable gentleman, that a committee constituted as

the last was, could not so effectually lay before the House the result of their labours, as if their number was more compact. He expressed his thanks to the right honourable gentleman for his civility in attending to his suggestion, as well as for the handsome manner in which he was pleased to speak of his humble exertions in the duty which devolved upon him. He was willing to suppose the right honourable gentleman, in placing him at the head of the list, wished him to accept the situation he had before the honour to fill, and did not desire to impose upon him the painful and invidious task of objecting personally to any member named in the list just read. In any sentiment which he might express upon this subject, the House would, he was confident, excuse him, and not impute to any intention of private offence that which he felt as a public duty. As to the appearance of his name on the new list, he had not objected to it, as his right honourable friend had expressed a wish that he would allow it to stand there. He was at the same time convinced his right honourable friend might have chosen a much more proper person, and might have found many persons upon the list of the committee much more competent to fill the chair, although in the duty of regular attendance and zeal, to the best of his ability, he would yield to none. He begged leave, however, fairly to say, that as the list was now constituted it was quite impossible for him to admit of being called to the chair. No consideration on earth should induce him to take the chair of the committee as just named.

Mr. Peter Moore was glad the honourable gentleman had so expressed himself; as if he had not, he must have done so himself. After the reports already laid before the House, session after session, by former committees, without producing one effectual step on the part of his majesty's ministers to remedy any of the abuses pointed out to them, or taking any effectual step towards a serious system of public economy, the public would conceive the nomination of such a committee as the present a mere farce to cajole and delude them. What had been done by the right honourable gentleman at the head of the finance, in consequence of the first great recommendation of the former committee, of which the honourable member who last spoke had filled the chair, in respect to the bargain with the bank of England? Why, that a sum of 60,000*l.* was taken as an equivalent for their advantages in the ma-

management of the public money, when 260,000*l.* ought to have been demanded. He considered this as nothing else than a bribe to the bank out of the public purse, while the right honourable gentleman was obliged to make good the deficit by laying new taxes upon the country. The next prominent point was, the recommendation in the report of the former committee, respecting the gross defalcation that had occurred in a department of great public expenditure at the head of which was the right honourable Thomas Steel, who had taken above 19,000*l.* under false pretences; and what had been done by his majesty's ministers in that case? Why nothing more than merely to demand of him the payment of the money, instead of directing the King's Attorney-General to institute a prosecution against him. The third report recommended the abolition of sinecure places, with enormous salaries. But what had been done? Why to employ new clerks to correct the errors of inefficient clerks, but without any measure being adopted of public economy. If his majesty's ministers were really serious in their wishes to check abuses, to stem profusion, and to economize the public purse, they had ample grounds to proceed on in the reports of the finance committees already laid upon the table of the House within the last three years. Judging, however, from their utter supineness and obvious contempt of those reports, and the measures therein recommended, he could not help considering the nomination of such a committee as a mere delusion; and that as little was meant to be done in three years to come, as in three years last past. There was every reason for the people to murmur at the delusive result of a system from which they were taught to expect economy and reform. Instead of which, the system of expenditure for several years past, was rather for a war upon the purses of the people than for a war against the common enemy. The finance committee in 1797, made 24 reports; that in 1798 made 12 more, all containing most important information on the state of the country, and what had ministers done in consequence? Not one thing. The same was to be said of the reports of the last three years, and every thing they recommended. Where then was the use of appointing a new committee, if the same system was still to go on? There were other gross abuses in another department under an honourable gentleman opposite, which he should notice at another opportunity; but he would repeat, that if any

thing of reform or economy was sincerely intended; the mischief and the means of redress would be found stated in the reports already before the house. It would, however, be impossible to avoid the continuance of 'peculation, profusion, and abuse, unless the house should demand and insist upon having the accounts of the public receipt and expenditure for one year, before they voted a shilling of new supply of the next. The right honourable gentleman at the head of the finances had declared he had no objection to this principle, and ministers could find no difficulty in being ready with those accounts at the opening of the session, or in enforcing the payment of all monies in the hands of public men into the Treasury. If they did not do this, they could not know how the public money was appropriated. Mr. Pitt himself, that great professor of finance and economy, did not know it, as was shewn upon the trial of Lord Melville. It was indispensably necessary, that the House of Commons should let the public see they were determined to do their duty.

Lord Henry Petty bore his testimony to the meritorious conduct of the honourable gentleman who spoke last but one; and who had so fully anticipated his own sentiments, that in consequence of what had fallen from him, he himself must abstain from any attendance upon a committee so nominated.

Mr. Yorke was of opinion that the redaction of the committee, in the manner proposed, was an implied stigma on the members whose names were omitted; and he should rather prefer the smaller inconvenience that might arise from reviving the whole committee, than the greater and much more objectionable alternative of calling into discussion the merits of individual members. He regretted the opinion expressed by the honourable member who had spoken second on this question, because he knew that opinion would go forth and had weight with the public, whom it might disincline to attach confidence to the committee. The public would never be satisfied with a committee nominated by any particular set of men. He did not mean to say that abuses did not exist that might demand reform; and if the committee was to be revived, it would be better to re-appoint it just as it stood before, than force the house to the invidious task of discussing the merits of particular men. But for his part, he was not quite sure it was necessary to re-appoint the commit-

tee at all. In all events, he thought it would be better to give the house a day for examining the reports already made, and afterwards re-appoint the committee, if it should appear necessary.

Mr. Whitbread said, that after what had already been stated, it was quite impossible the public could expect any good to arise from the committee. He thought a nomination coming from the honourable member who first opposed this list, as an independent country gentleman, infinitely better than one from any chancellor of the exchequer, be he who he might. The honourable member who first opposed this list, had acknowledged his own suggestion for a reduction of the number of the committee; but it was obvious to himself that great partiality might be used in the omission of particular names and the retention of others that were highly objectionable; though he would admit, that some names were left out as objectionable as any that were retained. To one name in this list particularly he had objected, upon what he conceived to be good grounds. A question had been put, certainly, upon that name, and his objection was over-ruled; and he certainly should feel it his duty to repeat his objection against it now, and put it again to a question. The public had certainly a right to expect, from the original appointment of the finance committee, that much public good would be derived; and, undoubtedly, if the reports they had already made had been acted upon, hundreds of thousands, nay millions, of money might have been saved to the country. Of what effect was it for the committee to deliberate and report, if their recommendations were to remain a dead letter? Was it expected they would live centuries?—and centuries they must live to produce any effect, if it was considered that in the whole of the last long session, they were enabled to produce but one report. The honourable gentleman who first opposed this list, had shown the greatest zeal and ability in his endeavours to render the labours of the committee efficient for the purposes of their appointment; no man was a more competent judge than himself of the men most likely to co-operate with him for purposes so desirable. He therefore thought the house had a right to call upon the honourable gentleman for a list of 15 names of such men as he would wish to act with. But a list from the chancel-

lor of the exchequer was a mere farce, and as such it would be considered by the people.

Mr. A. Wharton said, that after what had fallen from several gentlemen who had spoken on the subject then before the house, he deemed it necessary that he, situated as he had been, and particularly objected to on the appointment of the committee, should request the house to indulge him with their attention till he offered a few observations. He had endeavoured to discharge the trust which the house had done him the honour to confide to him, with every possible degree of assiduity in his attendance, and the most anxious desire to contribute all in his power to effect those important objects which it appeared to him the house had in view, in appointing the committee of which he had been a member, and which was now intended to be revived. It had been said, that there were many delays during the time that the committee was in the exercise of its functions. He allowed this to be the case; but he was at the same time bold to say, that those delays had in a great measure proceeded from a long paper which had been introduced by the honourable gentleman who was chairman of the committee, and he believed that every opposition that paper had met with, either from himself, or any other honourable member of the committee who thought proper to object to it, arose from a consciousness on their parts, that the paper he alluded to contained many particulars relative to the prerogative of the crown, and other matters not at all relating to the expenditure of the public money, and which he himself and the gentlemen who thought as he did, from time to time opposed, because they did not think proper to register the honourable chairman's edict, without having examined its various contents, and their several bearings; more especially, as he thought that it contained many things which were never in the contemplation of the house to enquire into, when they appointed the committee. As for his own part, he had been actuated by no other motive than a real regard and zeal for the public interest, and, as such, had pursued the line of conduct which appeared to him most conducive to that end; and he should, therefore, by no means regret his name being left out of the committee, if the house should think proper to revive it.

Mr. Alderman Combe said, he would not wish or attempt to tax any gentleman in particular, but there was certainly a strong disposition in many gentlemen to prolong the discussion upon every occasion, so that it was impossible to make any report till the very last day of the session.

Mr. Sumner said, there had certainly been considerable difference of opinion as to many very important points among the gentlemen who composed the committee; but, he believed, none which were made from any other motive, than that each individual thought it his duty to oppose every matter which he did not think for the public interest, or not within the view of the house in appointing the committee. There was one particular question relative to sinecure places, which was very warmly debated during five days, and on which they came to a resolution on the last day. An honourable member on the floor, who had so loudly complained of protracted discussion, had on that last day spoken no less than eight times; he had counted them, and in the last of the eight speeches he did not say a word that he had not said in the first seven, nor in the first seven any thing which he had not uttered in seventy speeches before that time: it was not therefore surprizing there should be very considerable delay, as every gentleman supposed he had as great a right to deliver his opinion as the honourable member who now so much condemned the committee on the score of protracted discussion. For his own part, he had opposed such parts of the proceedings as he thought the committee was not intended to interfere with, and had done no more than what he thought his duty required of him.

Mr. D. Browne said, that immediately previous to the Easter recess, the honourable gentleman, the chairman, proposed a treatise in the form of a report, to which he could by no means give his assent. Many other gentlemen of the committee entertained the same opinion of it as he did; viz. that it proposed matters to parliament which it could not stand on, and as such there were repeated discussions on it, which occasioned the delay that had been so much spoken of. He thought that in a committee of parliament no man should pay regard to popular feeling, but determine to act in such manner only as his duty pointed out to him to be proper and right.

Lord A. Hamilton said, that the chancellor of the

exchequer persisted in this committee; it might in his opinion prove nugatory, as he could not conceive, after the honourable gentleman who was the chairman of the last committee had declined, there was any one who would accept a seat in it.

Mr. Ellis said, a right honourable friend of his under the gallery (Mr. Yorke) had stated, that some alterations had taken place on the last day of the meeting of the committee. He believed there was some trifling amendment made in one part, of a few words only, "that it might be expedient to reduce the salary of some, and to abolish others;" but this was done after very ample discussion, and in making it there could be no colourable imputation of surprise on the committee. In the treatise which had been alluded to, there was a dissertation on the increase of the influence of the crown, which, eloquent as it was, contained sentiments of which he could not approve, and he therefore gave it his decided and hearty opposition. Objections had, however, been made as to the style and manner in which the several members of the committee had carried on their opposition. For his own part, he could only say that he had acted for the best; and he verily believed every other honourable gentleman who acted with him had done the same; and there was certainly not a stronger proof of a venacious opposition on their part, than on that of the other side. He conceived; therefore, their opposition would be received by the house in the manner it was meant. If his name was left out, he should not feel any regret, conscious of having acted as his duty required him to do.

Mr. N. Calvert said, he saw no good that could arise out of this revised committee. He thought the better way would be to name a fresh committee, or to take up some of the reports already made on the subject, and proceed upon them.

Mr. Long said, that it was not fair in the honourable gentleman to argue that so many reports had been made, and not acted on. The first report made by this committee relative to the bank had been most carefully attended to, and acted on, and the public had already derived considerable advantages from it. In regard to the second, which related to the pay office, he had immediately acquiesced in the sentiments of the committee, and there was not one of the regulations they had recom-

monded that he had not attended to, and so far adopted as was in his power. As some of these would require an act of the legislature, it was his intention to bring it forward; but he had not yet been able to do it. In every other instance the utmost deference had, in that department, been paid to the regulations proposed by the committee. As to what had fallen from an honourable member opposite, respecting a gentleman who had been in the pay-office, but who was not now a member of the house, an inquiry had immediately been instituted; and he found that the sum, whatever it might have been, had been paid into the office by the gentleman alluded to.

Mr. Creevy said, it appeared somewhat extraordinary that this gentleman, who was a privy-councillor, should, at the time he was paymaster of the forces, in the face of an act of parliament, have helped himself to twelve or 14,000*l.* of the public money, and notwithstanding that after this report he had himself acknowledged he had done so by paying back the money, he should still remain a privy councillor.

Mr. J. H. Browne admitted many disagreeable circumstances had occurred in the committee, but he believed from no ill intention in any one, nor from any desire to protract unnecessarily the time of the committee. Many thought a reform as to the power and influence of the crown was necessary, and others that it was not; and he believed each party was actuated by what they really thought to be right. Many of the committee thought the influence of the crown was the most valuable part of the constitution; of course those would not agree to diminish it; but though he did not exactly agree with either party on this head, and many others, he still thought every one had acted to the best of his judgment.

Lord Milton said, that after the debate which had then taken place, he was apprehensive the appointment of a committee could be productive of no essential service, or that the burdens of the people would, after so many reports, be at all diminished. The last speaker had said, that in the committee many persons thought the influence of the crown was the most valuable part of the constitution of the country. He for one did not think that the crown should have no influence, but he was of opinion that those who entertained such sentiments as to the power of the crown, were very unfit to be members of such a committee.

He was sorry the committee had ever been taken out of the hands of the independent country gentleman who had first proposed it.

Mr. Biddulph said, he thought it was more the business of the house now to look prospectively than retrospectively; and that if it had many years ago been thought highly necessary to attend to the subject it must be infinitely more so at the present moment; and if by the investigation of the house into the public expenditure, they can give the public a confidence in their zeal for the general interests of the country, it would certainly be highly desirable. The committee should, therefore, be freely and fairly chosen, by their names being alternately called from each side of the house.

Mr. Brogden thought the committee had gone further than was intended and than they had a right to do, in making a retrenchment on the privileges and prerogative of the crown, and as such he opposed the report.

Mr. Ellison said, he was willing to go into every question of retrenchment in the expenditure of the public money, but it seemed to be the bent of the report of the honourable chairman to interfere with the prerogatives of the crown: as such, he, for one had opposed it. An honourable member, whose accusatory disposition was well known, had said, by way of anticipation, that the committee, constituted as it was, would endeavour to throw obstacles in the way of reform, but he believed that, in following the dictates of their own hearts, they would be found as desirous of reform, as that honourable member or any other in the house.

Mr. Bankes said, with some warmth, that he could not sit silent and hear it said that the report which he had submitted to the committee contained any innovation on the prerogative of the crown. It was false that any word in it had tended to touch on that prerogative.

Mr. H. Thornton said, that the report, at the utmost, only went the length of saying, the influence of the crown ought to be diminished.

The Chancellor of the Exchequer said, if the honourable gentleman on the floor (*Mr. P. Moore*) alluded to him as the culprit, he would, on a future day, put in his defence, he could not do it too soon—(*Mr. Moore* answered across the house, it was not him). If (*Mr. Perceval* continued),

any of his honourable friends near him were alluded to, he was sure it would be equally their wish that the charge should be speedily brought forward. He insisted that every attention had been paid to the recommendations of the committee in the pay-office, and his right honourable friend (Mr. Long) had not only followed up every recommendation of the committee, but had given them information of the highest importance. With regard to the bank, he believed the honourable chairman (Mr. Bankes) would allow he had paid every attention to the report of the committee, and obtained thereby great advantages to the country. A variety of opinions had been formed as to the appointment of this committee. Some thought this, others that, the most proper mode of forming it. The object he had in view was to adopt as far as possible that mode which could the nearest assimilate to the idea of the honourable chairman, by reducing the numbers so as to obtain that dispatch he so much desired; and he could not then avoid expressing his hopes that his honourable friend would reconsider the subject, and determine to resume that office for which, in the opinion of the house and of the country, he was so eminently qualified. He was greatly surprized, he said, at the declaration of a noble lord (lord H. Petty), that he would not be a member of any committee nominated by a chancellor of the exchequer. He requested that noble lord and his friends would look back to the original formation of that committee; let them compare this list with that which was introuced by the noble lord, who, as chancellor of the exchequer, took it out of the hands of the Honourable gentleman who was its author, and out of twenty one members of which the committee was composed, nineteen were persons who were in daily habits of holding the same political opinions with himself.

Mr. Ellison, in explanation, said, he had that night been speaking of a report on which he had a right to comment, and in doing so had used none other than parliamentary language. If he had spoken so as to give offence, he would be willing to apologize; but his habits, both in public and private life, flattered him with the hope he had not done so. An honourable gentleman had used the word false, applied to what he had said, and he hoped he would so far explain what he meant as to free him from such an imputation.

Mr. Bankes said, all he meant was, an honourable gentleman took an unfair view of the subject, and therefore conceived an opinion of it that was false. With respect to all those who had differed with him on the various parts of the report in question, he wished to speak of them, and had always conceived them honourable men, but acting as he thought, under a mistaken or erroneous opinion.

Mr. Ellison said, if the honourable gentleman meant only to say that he had formed an erroneous opinion, he was satisfied.

The Speaker said he was sure in what had been said by either of the honourable gentleman, there was nothing intended that should cause either of them to retain it in their further remembrance.

Lord H. Petty, in explanation, denied that he had taken the business out of the hands of the honourable gentleman (*Mr. Bankes*). If that gentleman had not been originally named on the committee, it was merely an accidental omission, and it would appear by the journals of the proceedings of that committee, that he had been the chairman from the beginning.

The Chancellor of the Exchequer allowed that the honourable gentleman alluded to had been the chairman of the committee from its first sitting, but still he would repeat that it was the full impression of his mind, that the appointment did not proceed from the suggestion of the noble lord, but from some gentleman on the other side of the house, who thought it most extraordinary that the proposer of the measure should not be upon the committee.

Mr. Biddulph said a few words in explanation.

Mr. Ponsonby said, that the objection of his right honourable friend was not merely to a committee appointed according to the list proposed by the chancellor of the exchequer, but he had objected to any individual member appointing the committee. As to the comparison which the chancellor of the exchequer had made between his list and that of his predecessor in office (*lord H. Petty*), he should only observe, that the committee which had been nominated by the noble lord, was such a committee as the honourable gentleman (*Mr. Bankes*) was well content to act as chairman to; but the committee appointed by the chancellor of the exchequer was of such a description, that the house had just heard the honourable gentleman

declare, that he could not act as a chairman to it. The chancellor of the exchequer had said, that the noble lord had appointed nineteen of his own political friends, in a committee consisting of twenty one members. This was, however, nothing very unnatural or extraordinary, when the sentiments of the chancellor of the exchequer and his political friends were so well known with respect to all reforms, and particularly reforms in the expenditure of the public money. Not much public good could have been expected from putting enemies of all reform into such a committee.

Mr. Sturges Bourne said, it was impossible for the right honourable gentleman (*Mr. Bankes*) to have protested against acting as chairman to the committee appointed by the noble lord, as at the time of its appointment he did not even know that he was to be one of the committee.

Mr. Johnstone regretted much that the question had been stirred in the way it had been. He feared it would make an impression on the public mind, that the House had no serious intention of instituting a fair or satisfactory inquiry. He was sure there was no part of his majesty's speech which gave more sincere satisfaction than that which expressed a determination to introduce every practicable reform in the expenditure of the public money. He hoped the house would shew the same zeal, and he knew well that there was a very considerable portion of the public who did not believe that either side of the house was very zealous for reform; but thought they were all too anxious to provide for themselves. It might injure the committee very much in the public opinion, if the honourable gentleman (*Mr. Bankes*), should withdraw from it in the manner he had threatened. The committee had already done great services; it had pointed out an annual saving of 200,000*l.* per annum, with respect to the bank; it had shewn abuses in the pay office, which had, in consequence, been reformed, and it had given such a detailed account of pensions and sinecure places, as must ultimately be productive of advantage.

Mr. Wilberforce was inclined to think that it would be advisable, that the house should have more time to make up its mind upon the subject. He thought that they should consider the general effect of the prejudice which would prevail against the committee, if it were constituted

in such a manner that the honourable gentleman (Mr. Banks) could not act with them. It was impossible to find a man less influenced by party motives or personal considerations than the honourable gentleman. He conceived that his retiring from the committee would be such a loss, that it would be better to pause, in order to see whether it would not be possible to adopt some middle course, which might be satisfactory to all parties, and to that honourable gentleman. He should therefore hope, that as soon as the question was carried on the resolution "that a committee be appointed," the right honourable gentleman (the chancellor of the exchequer) would not proceed any farther that night in the appointment of the committee.

The question was then put, that a committee should be appointed, which was carried without opposition.

SIR JOHN MOORE.

Mr. Whitbread rose to put a question to Lord Castlereagh. He wished to know why the last dispatches of that gallant officer, Sir John Moore, had not been communicated to the public in the *Gazette*, and also whether it was now the intention of his majesty's ministers to make that publication?

Lord Castlereagh replied, that nothing would be more grateful to his majesty's ministers than to publish what would redound to the honour of that gallant officer, now no more. When the dispatch was received, it was considered not official, but confidential, and that that officer had left it to the discretion of his majesty's ministers to publish what parts of it they should think proper.

General Stewart stated to the House, that at the time that Sir John Moore sent him over to England with the dispatches, he was so excessively hurried, that he had not time to write so fully, or in so complete a way as he could have wished. The dispatch which he therefore sent to ministers, was rather of a confidential than an official nature. As, however, he thought it would appear extraordinary to the public if no official dispatches were to be laid before them, it was his wish that ministers should publish such extracts as they might think proper. He felt, however, very anxious that the greater part of the dispatch should be published, as he was sure it would

give great satisfaction to the army, and gratification to his private friends.

Lord Castlereagh said, that he did not at first understand that it was the wish of the gallant officer to have the greater part of the dispatch published; but as he now understood that such were his feelings and those of his friends, his majesty's ministers would be happy to publish as much of it as could be done without prejudice to the public service.

The House then resumed the debate upon the appointment of the finance committee.

Mr. Wilberforce moved that the debate should be adjourned. This motion was seconded by *Mr. W. Fitzgerald*.

The Chancellor of the Exchequer saw no use in delaying the appointment of the committee. He did not expect any new lights to break in upon them at a future day, and therefore thought it unnecessary to debate it again.

After some mutual explanations, the House divided on *Mr. Wilberforce's* motion.

For the adjournment	-	-	-	62
Against it	-	-	-	124
				<hr/>
Majority	-	-	-	62

While strangers were excluded from the gallery, the House divided three or four times, on the appointment of different members to act on the committee. As soon as the gallery was opened again for the admission of strangers, the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, JANUARY 25.

BATTLE BEFORE CORUNNA.

The order of the day having been read,

The Earl of Liverpool rose for the purpose, as he observed, of submitting a motion to their lordships, to which he presumed there could be no possible objection. Among the brilliant military exploits of this country, there was not one which shone with greater lustre than that contained in the official details which were lately published. It was as signal an instance of British valour, discipline,

and talents, as any that was to be found in our annals. He could not boast of being deeply versed in military affairs; but he always understood, that between armies nearly under equal circumstances, with respect to numbers and physical strength, the advantage on the side of the aggressors was almost in the proportion of ten to one: and yet against such fearful odds, a British army was able to contend, and not only contend, but to conquer. If their lordships looked to the result of the battle before Corunna, they would acknowledge that it was most important. Every object for which it was fought, was completely gained. The embarkation commenced that evening; and such were the effects of British valour upon the enemy, that during the whole of the next day no attempt was made to interrupt it. Nearly forty-eight hours were gained, during which every man was embarked, and the whole of the sick and wounded removed on board the ships. But these glorious advantages were not unalloyed. The splendid victory that was gained, was clouded by the loss of the brave officer, to whose admirable dispositions, and the energy that was infused into the troops by the examples of coolness and courage that he exhibited in his own person, it was chiefly owing. The triumph was damped by the death of the hero that achieved it. It was unnecessary for him to expatiate on the merits of Sir John Moore. They were fresh in the memory of his country, and would live for ever in her gratitude. That gallant officer had devoted the whole of his life to the service of his country. During the two last wars there was scarcely an important service in which he was not engaged. In the early part of his military career, he was distinguished for intelligence and activity: when to these admirable qualities he added the advantages that result from experience, it was not surprising that he became, as he was allowed to be, a perfect military character. Their lordships, he trusted, would excuse him for paying this small tribute to an officer, with whose acquaintance he was honoured, and for whose private virtues and professional talents he felt the highest respect; and for whose death, even glorious as it was, no one could feel deeper regret. He would not detain their lordships longer, but submit to them the resolution of which he had given notice. It was framed analogous to that which their lordships agreed to in the case of the victory of

Egypt, which the battle of Corunna resembled in some of its circumstances. In both, the enemy were the assailants; in both, they were defeated; and in both the commanders of the British army fell, even in the moment of victory. His lordship concluded with moving the thanks of the house to Sir David Baird, generals Hope, Mackenzie, Fraser, Lord William Bentinck, &c. &c. for their gallant conduct in repulsing a superior French force before Corunna.

Lord Moira observed, that he did not rise to oppose the motion. He fully agreed in every thing that had fallen from the noble lord respecting the merits of Sir John Moore. He would allow, that on no occasion had British valour been more conspicuous, or the superiority of British discipline more manifest. But in admitting this, was he not entitled to ask the secretary of state for what purpose so much precious British blood had been shed? Did it produce any advantage to the country? Were the troops sent to Spain to escape from, and not to protect it? The misconduct of ministers had marred the greatest opportunity that ever presented itself for arresting the progress of the power of France. Where was Spain now? All the hopes that could have been formed of establishing an alliance on the continent vanished with the fate of that nation. There was not a state in Europe to whose alliance we could look. The examples of misconduct, vacillation, and final desertion which we exhibited in Spain and in Sweden, would deter them from having any thing to do with us. Was this to be attributed to the British officers and army? No. The noble secretary had absolved them from having in any way contributed to this stain upon the character of the country. The whole failure of the expectations of the nation was directly chargeable to his majesty's ministers. If we were a sinking country, the fault was entirely theirs. The people had a right to see that the blood which was spilled had not been unprofitably shed. The energy of the country must interfere, and put an end to that system of weakness and incompetence that was hurrying it into ruin. His lordship concluded with giving his cordial consent to the motion.

Lord Mulgrave little expected, when he came down, that the motion of his noble friend could give rise to such observations as had fallen from the noble lord. Treated

as the subject had been in one of the most eloquent compositions that ever appeared in the form of an official dispatch, he was surprised how the noble lord could deviate from the only question which was properly before their lordships. He regretted that their attention should have been drawn to any other object, and that observations should have been made, intending to destroy the unanimity which might have, on this occasion at least, been reasonably entertained. He assured the noble lord, that ministers were as willing to meet any inquiry on the subject of their conduct with respect to Spain, or any other power, as he could be to demand it.

Lord Sidmouth cordially approved the resolution. Never was British valour more eminently distinguished than in the battle before Corunna. When he considered the disadvantages under which it was fought; that it was after a rapid march of seventeen days successively, by routes hardly practicable, through a country affording no resources, it appeared to him as one of the most noble instances of courage and patience that the military annals of any country could boast. Something had fallen in the course of the debate, to which he thought it necessary to advert. He alluded to an expression used by a noble friend of his (*Lord Moira*). He had with astonishment heard it said by that noble lord, that this was a sinking country. A sinking country! Where did the noble lord find the proofs of such humiliation? Was it in the examples of British bravery exhibited at Roleia, at Vimiera, at Corunna? There was, he trusted, both the means and disposition in this country to resist the colossal power of France. In point of military reputation, the country stood on a prouder eminence than ever. It possessed the means of maintaining that exalted state; it was the duty of their lordships to see that they were not abused. He concluded with repeating his unqualified approbation of the vote of thanks.

Lord Erskine thought as highly of the discipline and courage of the British army as the noble lord who moved the resolution; and it was because he thought thus highly of it, that he must express his deep regret at the manner in which they had been lately employed. The troops that were sent to Spain were, in fact, immolated. Their lives had been squandered as little to the advantage of the country as if they had been shot on the parade in St.

James's Park. He felt exalted by the bravery which that army had shewn, not merely in the battle before Corunna, but during the arduous and toilsome march that preceded it. When he heard of the exploits of Sir John Moore, of Sir David Baird, generals Fraser, Anstruther, and Ferguson, Colonel Napier and many others, and recollected they were his countrymen, he felt as if some portion of the honour they obtained was reflected upon him. The money felt harder and heavier in his pocket. He could not, however, give his assent to the motion, without taking an opportunity of deploring the circumstances that led to the victory which was the subject of it. He rejoiced that any portion of the British army had escaped, though its safety had been obtained by the sacrifice, as he understood, of between eight and nine thousand men, and all the artillery and horses.

Lord Grenville began with declaring, that the events which had been made public in the course of the three last days weighed most heavily upon his mind. It would have afforded great relief to him to abstract his mind from these calamitous circumstances, and to direct the few observations he had to offer solely to the resolution proposed. The motion before the house was such; he believed, as had never before been submitted to the consideration of parliament. It was to vote thanks for a victory that terminated in a retreat. The conduct of the troops was above all praise. They discharged their duty to their country. The failure and slaughter through which they had passed to the last glorious exhibition of their valour they owed solely to the disastrous councils which employed that valour upon a frantic and impracticable object. When he last addressed their lordships, he had not the smallest hope, he did not believe that it was possible to bring off any part of the army. He rejoiced that it had been able to make good its retreat, though with the sacrifice of one-fourth of its strength, part of its artillery, and all its horses and baggage. It was owing to the talents of Sir John Moore that any part of it was brought back. The expedition originally was an ill planned, visionary, and frantic measure. His lordship justified the expression used by the Earl of Moira, "that we were a sinking country." We exhibit, said his lordship, every symptom of it. We must make up our minds to the adoption of feelings with which we have never yet

been conversant. The hand of Providence was upon us. Within three years, we had lost two of the greatest statesmen the country ever saw—men who, in a peculiar degree, from their great and commanding talents, were entitled to the confidence of the country. Within the same time we had lost a naval hero of transcendent talents and courage. Now we have to regret the loss of a military chief, who, if it had pleased Providence to spare him to us, would have equally upheld the power and increased the glory of his country. His lordship here expressed his concern that the name of General Anstruther, who was known to have been the particular friend of Sir John Moore, and to have enjoyed his confidence, was not included in the resolution. He again lamented that the talents of officers like these should have been so unprofitably employed; that they were placed in that situation in which they could be of no advantage to their country. Disasters might have been expected, but success was impracticable. The fault was in the system, in the advisers of this notable plan for opposing the overwhelming power of France, and not in the brave men who were charged with the desperate task of executing it. Of a country so governed, and so content to be governed, no sanguine expectations could be entertained.

The Earl of Westmoreland said, that most of the observations that fell from the noble baron were foreign to the question before the house. When the time came for discussing the nature of the assistance that had been given to Spain, ministers would be ready to justify their conduct. It was rather strange that the noble earl (*Moir*), who expressed such deep and unfeigned concern for the failure of the expedition to Spain, had none of those poignant feelings for the little military disasters that took place under that administration of which he formed a part; for the brilliant enterprize at Alexandria, the no less noble achievement at Constantinople, or the triumphs at Buenos Ayres. It was strange that the noble baron (*Grenville*) also never gave vent to his sorrow in that house, when the subject of the retreat through Holland, much more calamitous in its consequences than this to *Corunna*, was under discussion, or when the troops were brought away from the *Helder*. Their lordships heard nothing upon these occasions from the two noble lords, of useless sacrifices of British blood and valour. He lamented

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that they did not then display a portion of that exquisite feeling with which they appeared to overflow at present. He concluded with expressing the readiness of himself and colleagues to meet any inquiry that might be instituted into their conduct.

The motion was then put and unanimously agreed to.

HOUSE OF COMMONS.

WEDNESDAY, JAN. 25.

SIR JOHN MOORE.

Lord Castlereagh rose to make the motion of which he had given notice, respecting the late occurrences at Corruna. It was some consolation to his own feelings, in calling the attention of the house to the lamented loss of a valiant and illustrious commander, which the country has sustained in the death of Sir John Moore, that there were circumstances accompanying that melancholy event in which the country had to exult by the new and unparalleled triumph of her arms. Whenever the occasion arose for parliament to express its gratitude and approbation of valour and success, it seldom had happened that the house had not cause to lament the loss of many gallant officers and valuable lives. But it had rarely occurred upon former occasions of this nature, that the house and the country had to lament the loss of a commander who so eminently combined in his own character all those manly virtues and consummate military talents which distinguished Sir John Moore, and so admirably marked him as a fit champion in the great cause for which he was selected by his king and country; but however severe his loss, and however deeply it must be deplored, still there were some circumstances attendant upon his dissolution to qualify that loss, namely, the brilliant victory obtained by the British troops under his command, and the knowledge that he had lived to see the progressive success of those able and masterly dispositions he had made of her troops. He was wounded early in the action of the 16th, and though his wound was of so severe a nature that he must have been immediately aware of his approaching dissolution, yet he possessed all his fortitude and presence of mind to the last moment. For himself, he had only one wish to express, and it was uttered with

his last breath, that his country might devote to his memory some mark of approbation of his services. That country, the noble Lord was convinced, would cheerfully concur in handing down to posterity its own gratitude for his eminent and illustrious deeds in her cause. All that he regretted was, that he had not been able to fulfil all the duties imposed upon him, and finally to rescue from the tyranny of France the gallant but oppressed nation for whose aid he bled. The fault, however, could not rest with him. [*Loud and repeated cries of hear! hear! hear! from the opposition side of the house, and echoed from the treasury benches.*] The noble lord continued: if gentlemen on the opposite side of the house conceived there was any thing defective or blameable in the conduct of his majesty's ministers on this head, they would have a future opportunity, more becoming than the present, to mark their feeling [*hear! hear! loudly and repeatedly as before*], and notwithstanding the clamour with which they thought fit to mark this occasion; he felt no hesitation in declaring, that strongly as he felt the gratitude the house and the country owed to the memory of the illustrious officer whose loss they had now to deplore, he felt no less strongly the approbation that was due to his majesty's ministers for their conduct in the cause of Spain. The life of the illustrious commander he now deplored, though but short, was zealously and gloriously occupied in the service of his country. The noble lord said he would not detain the house by a minute detail of his gallant exploits, because he felt that the faint picture his humble abilities enabled him to draw would fall infinitely short of the merits he desired to celebrate. Still, however, there were one or two points which it would be a failure in gratitude to pass by without particular notice. One of these was his march of the British army from Portugal into Spain, which, when he considered the great distance it had to move, the nature of the country through which it had to pass, the inclement season of the year at which it was performed, the many distressing privations and fatigues it had to encounter, and the rapidity with which it was effected, presented altogether an example unequalled in the history of military events; and when to this it was added, that when the army, at the conclusion of its march, was fully assembled at Salamanca, it was in as complete a state of readiness to be employed as ever an army was, the high-

est praise was due to the general who accompanied and directed its movements and discipline. In preference to the selection of transports for its conveyance by sea to a Spanish port, Sir John Moore chose to march by land to its destination, conceiving that his troops would by that means much sooner arrive at their point of destination. But after all the misfortunes which had happened to the armies of Spain, he saw and felt his force was incapable of effectual opposition to the armies of France in full march against him, and that there to risk a general engagement was incompatible with military judgment, yet he instantly concluded that if he could withdraw the French from the attack of the Spaniards, he would effect a great military object, and have shewn his country that no effort on his part was unexerted to attain the end for which he was sent. His object therefore was to detach the army of General Soult, and induce it to march against himself, thereby affording great relief to the harassed troops of Spain. But though he failed of his ultimate design by this movement, his prudence furnished him with the means of finally leading his army to that glory he was incapable of affording it in the earlier part of his operations. The final result was the battle of Corunna; a battle not surpassed in the annals of military fame: for if consideration was given to the nature of the country through which the British had marched to that place for many successive days, at an inclement season of the year, under the most harassing disadvantages and galling privations; that the enemy was greatly superior in numbers; that the movements of each army had been conducted with a rapidity almost unequalled in military history; that by the fatigues of such a march, the natural strength of each individual must have been exhausted, and the force of the army greatly reduced by the loss of numbers who had fallen under weariness and consequent inability to continue the march, so that none but the choice troops of each who had surmounted these difficulties remained to be opposed to each other; and yet when it was recollected that under all these discouragements the British troops were promptly found, under the gallant general, in such a disposition as enabled them to repulse an enemy greatly superior in numbers, and remain masters of the field of battle—words were inadequate to convey a complete degree of praise to a general who could lead

them to victory under such circumstances. So complete was this victory, that the army, after remaining unmolested for the night on the field of battle, were the next day able to embark, in the presence of the superior force whom it had beaten the day before; and the whole were embarked, without leaving even a wounded individual; a piece of artillery, or any thing which the enemy could boast as a trophy, a service in which the naval force there assembled eminently shared. A more splendid monument to the military glory of this country was never before raised; it was however damped by the loss of a great character, whose memory must ever be dear to his country. He wished not to detain the house by stating any other of the exploits of this illustrious officer; but he was confident the house and the country would cheerfully accede to the proposition he had now to submit, for devoting to the memory of General Moore a lasting mark of national gratitude, by erecting to him a monument, as a just trophy to his fame, and an excitement to those he left behind to imitate his example. The noble lord concluded by moving an humble address to his majesty, praying that he would be graciously pleased to give direction for a monument to be erected to the memory of lieutenant-general Sir John Moore, knight of the bath, who was killed by a cannon ball in the battle of Corunna, on the 6th January, 1809, after having led his troops to an action, which terminated in a complete repulse and signal defeat of the enemy, and secured the safe embarkation of the British army, leaving his country to deplore his loss; and that this house would make good the expences thereof.

Lord Henry Petty rose to express his most cordial assent to the motion of the noble lord. Never did any proposition more completely meet his sincere approbation. It was a mark of duty and of gratitude the house and the country owed to that great and immortal commander, whose loss all must now deplore, for his gallant and important services; and it was therefore not without proud satisfaction that he joined in the eulogium of the noble lord, no less just than emphatical, and to express the hopes he entertained, that those sentiments of the noble lord would go forth to the country with equal force and emphasis. But while the house was assembled thus to perform a service of piety and public duty to the memory

of the great and illustrious general who had fallen in the public service, it was not without feelings of the strongest indignation that he had observed this day a part of the public press of this country—that venal part usually devoted to the service of the noble lord—occupied in endeavouring to traduce the memory of that illustrious general, to undervalue his services, to wound his fame, and to tear the laurels from his brows even in death. (*Hear! hear! hear! from all parts of the house.*) The directors of that print no doubt imagined that in this base and cowardly attack they were consulting the wishes of the noble lord; they would now, however, see their mistake; and he had purposely fixed upon the emphatic words of the noble lord to shew the contrast. But while the house was occupied in the purpose of erecting a monument to the memory of that great man, it was their duty to do justice to his fame and character, “more durable than marble.” The house, therefore, in giving its consent to the motion of the noble lord, should not stop there. If there was any thing erroneous in the conduct of a great man, there are those who were of opinion that the grave should shelter them from censure. That, however, was not his sentiment; but if there was any error chargeable to Sir John Moore, after having engaged in a great and arduous public service to his country, and after having perished in an attempt to save his army, the voice of censure should at least be suspended until his surviving fellow-soldiers should have time to do him justice, by a detail of the circumstances under which he acted. Having said thus much, and feeling there would be time enough for future inquiry, he should conclude by repeating his hearty concurrence in the motion of the noble lord.

The motion was then carried unanimously: as were immediately afterwards, other motions of the noble lord’s, for the thanks of the house to general sir D. Baird, and all the other generals and officers engaged in the battle of Corunna; and of high approbation of the conduct of the non-commissioned officers and privates of the army, for the valour displayed by them on that day.

Lord Castlereagh then said, that as great part of the glory and splendour of the transaction was owing to the spirit, activity, zeal, and enterprize of the navy, he was sure the house would most readily agree to bestow on the officers and men engaged in that part of our service the

[CON- same distinguished mark of their approbation as they had just accorded to those of the army. He moved, therefore, the thanks of the house to rear-admiral De Courcy and rear-admiral sir Samuel Hood, and the officers under their command, for their exertions in aiding the enterprize of our troops at Corunna.

Also an acknowledgment to the non-commissioned officers and seamen, of the approbation of the house for their exertions, activity, and zeal on the same occasion.

Both the resolutions were put and agreed to *nemine contradicente*.

BATTLE OF VIMIERA.

Lord Castlereagh rose in pursuance of the notice he had given on a former day, and which, as a dropt order, he had last night revived for this day, to make his motion for the thanks of the house to Sir Arthur Wellesley, and the officers and men under his command, for the brilliant victory they had obtained at the battle of Vimiera.

His lordship began by observing, that whatever differences of opinion might have taken place, or might at that moment exist, as to the various matters which had occurred since that brilliant achievement, he was sure, there never was, at any period of our history, a stronger burst of national gratitude than that which was universally proclaimed by the people of this country on the receipt of the first intelligence of the gallant and glorious victory of Vimiera. He was happy in being able to separate that splendid event from any circumstances, not so favorable, which might subsequently have attached to it; and he had no doubt but the house would be ready to coincide and go along with him in opinion, that the success and glory attending the splendid event of the battle of Vimiera, on the 21st of August last, deserved the highest admiration and the warmest thanks of that house and of the country. It was impossible to find in the military annals of Great Britain, a more glorious instance of the superiority of her arms, than had been given on that occasion. We had had our victories of Egypt and Maida; but however brilliant those of any former period, none had ever exceeded that on which he was then speaking, which had afforded us a further striking and unquestionable proof, that whenever or wherever we had brought our troops into action with the French, they had shewn themselves greatly superior in courage, hardihood, and discipline. Whether in

infantry, artillery (on which the French so highly plumed and valued themselves), or cavalry, the character of the soldiers had, on this occasion, once more taken a tone suitable to the free and excellent constitution under which they lived, and the principles which they had from their infancy imbibed and cherished; and though our attempts were carried on upon a smaller scale, yet whenever our efforts had been engaged for the service of the world, they had on all occasions proved triumphant. In speaking of what preceded that day, the attack of the almost impregnable post which the enemy possessed on the 17th (it was well known they had acted on a confined scale, but in the battle of the 21st, on a much more extensive scale), would shew that there was never a more splendid proof of the superior gallantry and courage of our troops, or the consummate skill of the commander, than had been displayed at the battle of Vimiera. Of twenty-one pieces of artillery, with which the enemy went out that day into the field, only eight remained in their hands. They were also very much superior in cavalry; and taking all the circumstances which attended that illustrious event into consideration, it was impossible any language could do justice to it, and he really felt that to dwell longer on such an action would only be to weaken the praise it was his wish to bestow on it.

He understood it had been hinted in another place, that the thanks of the house ought to be extended to another individual, who was an officer in high command on that occasion. For his own part, he believed that a more gallant officer than that individual did not exist; and that no officer ever possessed more generous and liberal feelings than Sir H. Burrard, who had done himself great credit and honour in wishing to separate himself from those thanks intended to be conferred on Sir A. Wellesley. When he had mentioned the matter to his majesty, of the intention to confer the thanks of the country on Sir A. Wellesley, his majesty expressed his approbation of the liberality of Sir H. Burrard in not taking the command on that day; and it would in his opinion be doing an injury to that gallant and meritorious officer, to mix him in that vote of thanks. He thought, therefore, that he had taken the fairest way of proceeding, by calling the attention of parliament singly to that distinguished officer Sir A. Wellesley, and he was sure parliament would not be inclined to act

towards him in a more niggardly manner, when they reflected that this was not the first time he had been called on to command a great expedition. What he had previously done in India, on the plains of Assaye, would not soon be forgotten. From the moment Sir A. Wellesley landed in Mondego Bay to the day of the glorious achievement which was then the object of praise, his dispositions of the army were such, that there was not a man, from that distinguished officer General Spencer, down to the lowest drummer in the army, who was not an enthusiastic that would cheerfully follow Sir A. Wellesley upon any service. Having made these observations, he thought he made out such a case as fully entitled him to call for the thanks of the house, and he would not, therefore, trespass further on their time than to move—

“That the thanks of the house be given to lieutenant-general Sir Arthur Wellesley, for the gallantry and conduct he displayed in the victory he obtained over the French in the battle of Vimiera.”

The resolution being read from the chair,

Mr. H. Addington said, that on putting himself thus forward on the present question, he owned he was influenced by motives of personal friendship for the distinguished officer to whom the noble lord had just moved the thanks of the house. He was confident that if the resolution had been submitted to the nation at large, instead of the house, it would be received with acclamations. He should therefore abstain from offering any eulogium on the honourable gentleman, his friend, because it was altogether unnecessary, and would be trespassing on the time of the house. That gallant and distinguished officer had given repeated proofs that he was peculiarly fitted for active service, where “bloody noses and cracked crowns” were likely to pass current; and from recollecting his former services, we might very naturally and fairly presume that he would not fail to shew the superiority of his abilities in future campaigns; and whether he was called forth to fight in defence of his own country, or in protecting the rights and liberties of any other, he had no doubt he would on every occasion acquit himself in the same illustrious style which he had hitherto done, and for these reasons he gave his hearty assent to the motion.

Lord Folkestone said, that disagreeable as the task was, he must dissent from the motion, and he would as shortly

as possible, explain his reasons for so doing. The noble lord had said he was not actuated by any partiality in bringing forward the motion; and he hoped it was unnecessary for him to add, that he was not moved by any act of hostility to the gallant general in question, in making the objections to the motion, to which his duty impelled him. It had, as he understood, always been held, that the thanks of that house should not be voted without the most striking proof of some superior valour and achievement, or that some good consequence, highly beneficial to the interests of this country, had ensued. He was very willing to admit all the merit of courage and gallantry which attached to the character of Sir A. Wellesley, and also the enthusiasm of the army towards him; but he could not see that it had been productive of any such good consequences as in his opinion ought to have resulted from it. He admitted the truth of the noble lord's statement as to the enthusiasm of the country when the news first arrived; but he believed that enthusiasm had subsided, and a very different opinion had since become general as to the result of the battle alluded to. The noble lord had said the French were superior in numbers, but he was of a contrary opinion. It appeared from the dispatches, that the French army amounted to 12 or 14,000 men; the British army consisted of from 14 to 16,000 men, besides 1200 Portuguese troops. By the report of the officers of the court of inquiry, which had sat on the results of that battle, it appeared that they could not blame Sir H. Burrard for objecting to the advance of our forces. The immediate consequences of that objection were, the armistice and the convention, of which, or of some parts of which, the house had recently been informed, his majesty had expressed a formal disapprobation. Neither of the victories, therefore, appeared to him to deserve the thanks of the house. Another objection in his mind was, that no mention was made in the vote of the name of Sir H. Burrard, to whom he thought great praise was due for the part he had acted, and which it was owned by the noble lord he deserved, for his conduct on that occasion. From all these circumstances, he objected to the vote of thanks for the battle of Vimiera, as he did not think it of that brilliant description to demand a vote of thanks, and it fell short of these good consequences which ought to have resulted from it; but on the contrary, the whole of the expedition

had ended in a manner that was disgraceful to the country.

Mr. Freemantle said, he would readily admit that the noble lord had no hostility to the gallant general, but he thought he had shewn an hostility to the glory and superiority of the British arms; for from the moment of the army having been landed at Mondego Bay, to the conclusion of the battle of Vimiera, every step it had taken in its progress had evinced a most splendid instance of the superiority of the British arms, which deserved the warmest thanks of the house and of the country. He agreed with the honourable gentleman who spoke last but one, that from what the distinguished general in question had already done, we might form the most flattering hopes of what he would in future perform, in the honourable profession to which he was so splendid an ornament; and from the heavy loss we had so recently sustained among our generals, we ought carefully to nourish and encourage all those who had given such pre-eminent proofs of the vast superiority of their talents.

Mr. Blachford expressed his extreme regret at the treatment that highly-distinguished general Sir A. Wellesley, had met with on his return to this country. He had attacked and beaten, whatever might be said to the contrary, an enemy greatly superior to him in numbers; and if the noble lord would examine the documents, he would find it to be so. He was sorry, however, to say, that instead of being received with enthusiasm on his arrival in this country, as he deserved to be, he was conducted before a tribunal as a culprit, which tribunal had determined that only equal praise was due to him who had bravely fought the battles of his country, and beaten the enemy, as to him who had checked him in his career of glory. The disasters of the campaign that was just concluded he thought were wholly owing to the superseding of sir A. Wellesley; for if he had continued in the command, the convention of Cintra would never have taken place; but, on the contrary, instead of the retreat lately made from Galicia, he firmly believed our troops would have been employed in driving the French over the Pyrenees. He had been a witness to the whole of the conduct of the distinguished general, to whom the thanks of the house were then proposed to be voted; and in his opinion it deserved every encomium which language could bestow on it. If, in the course of what he had said, any expression had fal-

len from him that might be offensive to the friends of the gallant officer who had superseded him, he would assure them, he did not mean to convey the smallest censure on any thing they had done, but merely to express his sentiments as to the conduct and gallantry of the distinguished general who so well had earned and deserved the high reward intended to be conferred on him by the thanks of the house.

The Honourable Mr. Lamb said, it must be remembered that at the close of the battle of Vimiera, differences of opinion had prevailed as to the future proceedings of the army. A board of general officers appointed for the purpose of enquiring into the matter, had since determined that they could not say to whom blame was imputable, and to whom it was not. A vote of the thanks of the house to the gallant general who commanded at Vimiera, would, in his opinion, be an approbation of his conduct during the whole campaign; and as a board of general officers had declared, they could not distinguish between the merits of the several generals concerned in the armistice and convention which followed the battle of Vimiera, he could not give his assent to a vote of thanks as then moved.

Lord Castlereagh explained.

Colonel Grosvenor spoke highly in praise of the gallantry and superior talents of Sir Arthur Wellesley, and gave his hearty assent to the motion.

Mr. Whitbread said, he could not suffer this question to go to a vote without offering a few observations. He complimented the noble lord for the candid and liberal manner in which he had brought forward his motion, which had, he said, his unqualified assent. He was sorry that, on the present occasion, some things had been said which would better have been let alone; and he hoped all would abstain from uttering any thing which might be construed into an insinuation or stigma on the character of any gallant officer. He alluded to Sir H. Burrard, who, instead of checking Sir Arthur Wellesley in his career, as had been insinuated by an honourable gentleman on the floor (*Mr. Blachford*) had done every thing in his power to forward his success. On such a day as this, when so many families were lamenting the losses they had sustained by the disasters which recently attended our army in Spain, that gallant general, he understood, had the misfortune to

bewail the loss of a son, who had died the death of honour in the battle of Cornua; and he thought that when a vote of thanks was proposed, the best way for the house to proceed would be to join Sir H. Burrard in that vote. If after what had passed, the house did not give thanks to him who was at the moment of the victory actually commander in chief, he thought they would not do him justice. In all cases of a vote of thanks, it was usual to join the commander in chief. Sir Hyde Parker, who had the command in chief at Copenhagen, committed the whole attack to the direction and execution of Lord Nelson. On his return home he received no honours, but he was included in the vote of thanks of both houses.

Sir H. Burrard arrived at the head quarters of the army the evening before the battle of Vimiera, but would not interfere with the plan of Sir A. Wellesley, and therefore delegated to him his authority, and as commander in chief he ought, as had always been the case, to be included in the vote of thanks. He did not say this from any partiality to that gallant general, for he had not the honour of the slightest acquaintance with him. He did not know how the court of inquiry had formed their judgment; but he did from authority know, that one member of that court had said, that if he was compelled to give an opinion between the two gallant generals, as to their conduct, it would rather be against Sir A. Wellesley than Sir H. Burrard. He wished, therefore, to move an amendment, that Sir H. Burrard might be included in the vote, and receive the thanks of the house for his conduct.

The *Chancellor of the Exchequer* said, that if the honourable gentleman persisted in his amendment, it would be impossible to come to a vote on the present motion, without the resolution being brought forward in a different mode, and this must fall to the ground. If any thing could induce the house to join in the amendment, he was sure nothing could more incline them to do so than the melancholy event which the honourable gentleman had mentioned, of the severe loss which the gallant general had sustained. It was, however, clear that Sir Harry Burrard had, in his dispatches, separated himself from Sir Arthur Wellesley in the whole transaction, and gave him credit for the whole plan and execution of the victory. In doing this, he thought Sir Harry Burrard had acted with great gallantry, generosity, and forbearance, and, therefore,

joining him in the thanks would, he thought, rather hurt his feelings. With respect to the case of Sir Hyde Parker as commander in chief at Copenhagen, it was very different. The house at that time thanked Sir H. Parker for the dispositions he had made for the attack of Copenhagen, and for appointing Lord Nelson to execute his plan. Sir H. Burrard, on the contrary, had acknowledged that the dispositions were nothing but Sir A. Wellesley's. The house could not, therefore, thank him on that ground without hurting his feelings. He censured the cold manner in which Lord Folkestone had contrasted the numbers of the two armies, and insisted that though there might be more Englishmen on the field that day than Frenchmen, yet not so many were brought to engage; for out of eight brigades three were not brought into action. He concluded by a high compliment to the superior talents of Sir A. Wellesley, and said that the whole of his conduct had been a splendid career of glory. He must, therefore, oppose the amendment.

General Stewart spoke in very high terms of the superior talents of Sir A. Wellesley, and said, that he was strengthened in the sentiments he had formed of him by the opinion of as good and brave an officer as this country could ever boast to have had in its service. He meant Brigadier-general Anstruther, who had unfortunately fallen a sacrifice to the great and over-exertions he had made in the recent retreat of our army through Galicia. That gallant general, he said, had told him that it was impossible for man to conceive what astonishing exertions Sir A. Wellesley had sustained through the whole campaign; but however great and numerous the difficulties which presented themselves, the resources of his mind were always superior to them, and enabled him to ward off all. He thought, therefore, it would be wrong to join Sir H. Burrard in the vote of thanks, though he had the highest respect for that gallant officer.

Mr. Adam gave the warmest praises to the conduct of Sir A. Wellesley, to General Ferguson, and the other gallant officers employed in the expedition to Portugal, and thought nothing could be more deserving a vote of thanks than the victory obtained at Vimiera. He gave his decided vote for the motion, and hoped his honourable friend, from whom he seldom disagreed in opinion, would reconsider the matter and withdraw his amendments, rather

than interrupt the unanimity of the vote, which he had acknowledged to have his unqualified approbation.

Mr. Whitbread said, that rather than his amendment should have the effect which his honourable friend had suggested, of interrupting the unanimity of the vote, he would, with the leave of the house, withdraw his amendment.

This was agreed to, and the resolution of a vote of thanks to Sir A. Wellesley was then put, and carried, with the sole dissentient voice of Lord Folkstone.

The thanks of the house were next voted to Major-Generals Spencer, Hill, and Ferguson; and to Brigadier-Generals Auchmuty, Nightingale, Fane and Bowes, and the officers under their command.

A resolution was then agreed to, expressive of the approbation of the house, of the conduct of the non-commissioned officers and privates.

INCREASE OF THE ARMY.

Lord Castlereagh rose, pursuant to a notice on a former night, to call the attention of the house to the necessity of increasing still farther the regular and disposable force of the country; and although he felt that the subject was of great magnitude and importance, he did not think it would be necessary for him then to trouble the house at any great length. In the speech which had been delivered from the throne at the commencement of the session, there was no topic which appeared to be received with greater pleasure and in which parliament would be more disposed zealously to concur, than that part of the speech which declared his majesty's intention to augment, by every practicable means, the military force of the country. It was evident that events might possibly occur which would make it absolutely necessary for the country to have a considerable military force at its disposal; and it was necessary that there should be a solid foundation of military strength at home, in order that the best interests of the country might not be sacrificed or endangered, while we were discharging the duty we owe to other nations, of succouring them as far as it shall be in our power. The principle of the measure was, as he believed, generally admitted; and the only difference of opinion that he apprehended was, with respect to the best and most effectual means of procuring the increase that was necessary in our

army. As he trusted the house would grant him leave to bring in his bill, he should have opportunities hereafter to enter more fully into a defence of the measure which he intended to propose. He did not wish, on the present occasion, to go into any general arguments, but merely to put the house in possession of the general outline of the plan he wished to submit to the consideration of parliament. He was happy to state to the house that this plan did not rest upon his judgment and opinion merely, or that of his majesty's ministers, but upon experience, which had recently proved that the principle upon which it was founded was the most effectual, and by far the most expeditious means of supplying a deficiency in the regular military force of the country. In 1807 the plan was adopted of allowing a certain number of men to volunteer from the militia into the regular army, and it was attended with the most beneficial consequences. It had been now ascertained, that on every extraordinary crisis a considerable supply could be obtained from the regular army, by availing ourselves of the zeal and spirit which were always manifested upon such occasions by the militia, who were always willing to volunteer when there was a great and permanent necessity for increasing the disposable force. We had now so far profited by the experience which had been derived from the success of the last experiment, to feel a confidence that we might always rely upon the spirit of the militia on such occasions; and out of 28,000 which were permitted to volunteer from the militia into the line, more than 27,000 actually did volunteer within the space of twelve months. They were certainly from their discipline and previous service, the very best recruits which the army could have got. Many of them had since participated in the glorious battles of Vimiera and Corunna, and there were doubtless many privates now in the militia panting to distinguish themselves against the enemy. There could be no doubt of the efficacy of such a measure, although there might be possibly some difference of opinion with respect to the policy of it. There could be no doubt but that permitting volunteering from the militia was the measure which, would, in the least possible time, produce the greatest number of effective recruits for the regular army. If there must be any deficiency in our military establishments, it was better that such deficiency should be in the irregular part of it. Upon the last occasion, however, the

deficiency which had been produced in the militia, from allowing so many of them to volunteer into the line, had been speedily supplied. Within the short space of six months (thanks to the great zeal of the different counties) not less than 41,000 men were raised in Great Britain and Ireland, and had actually joined their head-quarters. This certainly was a heavy pressure upon the country at that time, but the event shewed the great resources which the country possesses. This additional pressure should not, however, be laid on the nation, except in the case of obvious necessity; and it was the bounden duty of his majesty's ministers to adopt every modification which would diminish the pressure. The extent to which he now proposed to limit the volunteering into the line would be, that no regiment of militia should be reduced to less than three-fifths of its present force, and instead of 36,000 men to be raised in England to supply the deficiency, he should now propose only 24,000. He apprehended that it would be impossible to get rid of the ballot altogether; but still an effort might be made to obtain men by a milder process, and to relieve the counties from the great pressure which they had been exposed to formerly. For this purpose he should propose that a great part, if not the whole, of the expence of raising the men should be defrayed not by the counties, but by the public.—[*Loud cries of hear! hear!*] He should propose that the public should pay the bounty for enlisting, not altogether as high a bounty as would be given for enlisting for more general service, but what he thought would be a sufficient bounty—about ten guineas. If the voluntary enlistment did not succeed, and that the country should be compelled to have recourse to a ballot, it was his intention, in that case, to propose that the bounty of ten guineas should be given to the ballotted man to assist him in procuring a substitute. Where the country gentlemen should find that the expence fell upon the public and not upon the counties, he had great hopes that their local exertions in support of the measure would be more effectual. He was very sanguine in believing, that by this means a sufficient number of men might be got without any material or very sensible pressure upon the country. If, however, his hope was disappointed, and a ballot should be absolutely necessary, even in that case the pressure of ballot upon individuals would be much diminished by the assistance which they would receive from the public.

purse. Having thus put the house in possession of the general features of the plan which he intended to submit to the consideration of parliament, he should not enter into any general observations upon the present occasion; but hoping that he would in future stages of the bill have opportunities enough to answer any objections which might be made to the plan, he should now content himself with moving, that leave be given to bring in a bill to allow a certain number of the militia to enter into the regular army.

Mr. Tierney said he could not approve of any increase of the army, on the ground of a larger number of men being wanted for foreign service, as he did not know on what foreign service our armies could now be usefully employed. He thought that before the house agreed to give a larger disposable force to government, they ought to have an account from ministers of what they had done with that great force which had been voted abroad two years ago. The house should also know what deficiency there was in that which the noble lord then called a sufficient disposable force, or how that deficiency was occasioned. Before he could vote for imposing any further burdens on the country, he must be informed of the necessity of it, and he must also consider the hands who were to administer the military resources of the country. With all the praise which had been so justly conferred on our gallant officers, against whom there was not the slightest imputation, still every man felt that England had never suffered such a discomfiture as had lately befallen it under the administration of the noble lord. He rose at present merely to guard himself against the supposition, that it was his opinion that a greater disposable force ought to be entrusted to those ministers who had managed so badly what they had hitherto had under their direction.

Sir T. Turton could not consent to one sixpence increase in the burdens of the country, until the absolute necessity should be proved. They had voted last session for 183,000 men, and yet, when it came to sending an army to the relief of Spain, not more than 28,000 men could be collected. The army had displayed valour, but as usual it was only in resisting the attacks of the enemy. Their valour was sufficient to secure their retreat, but not to gain the fruits of victory. He did not

and more than 36,000 men had been employd in Spain and Portugal. He therefore could not see what use ministers made of the disposable force, about which they talked so much, and he should therefore oppose the present bill in every stage. The sum voted for our army last year, including ordnance, was twenty three millions; and when so great a vote could only produce 36,000 men to oppose the enemy, he considered it unnecessary to vote any increase of the public burdens upon this account.

Lord Milton said, it was unnecessary for him to remind the house, that about seventeen months ago they debated a similar proposition. At that time the noble lord (*Lord Castlereagh*) expressly stated, that it was a measure only to be resorted to upon an extraordinary occasion, but that it was not to be looked to as a general system for supplying the army. Now it appeared that it was to be adopted as a regular system for supplying the army; and the principle upon which these bills went, was nothing less than raising the regular army by a conscription on the people of this country. He wished to know for what purpose the noble lord wanted greater disposable armies? Did he mean to send another army to Spain to endeavour to turn back the tide of Bonaparte's successes, or did he mean to send another expedition to Sweden, to return as the last did, the ridicule of the world? He hoped, however, that if another expedition was sent to Sweden, it would not be a hostile expedition against that country. He thought it absolutely necessary for that house, as representatives of the nation, to inquire into the conduct of the last campaign in Portugal, into the expedition to Sweden, and into the conduct of ministers with respect to Spain. He could not see why the noble lord wanted more disposable troops, or to what part of the world he could send them, with advantage to the country. He considered that in the present situation of affairs, instead of sending large armies to foreign countries, we ought to shut ourselves up within ourselves, and think of that description of force which would be most useful in the defence of our own country. Such being his view of the true policy of the country, he felt it his duty to express his opinion upon the present occasion; and he could not consent to increase the burdens of the country, for the sake of putting a large disposable force in the hands of his majesty's present ministers.

Mr. Herbert was of opinion that greater reliance should be placed on the service of the militia for the defence of the country. The country treated them as well as the regular troops, and in some instances better, as it made a better allowance for their wives and children. The militia, therefore, owed a debt to the country of making their services as efficacious as possible. He wished that, instead of allowing the militia to enter into the regular army, they should be allowed to extend their services generally to every part of the united kingdom.

Mr. Cakraft thought the noble lord seemed to consider the raising 20,000 additional men as a light matter, and almost a thing of course. He felt the same difficulty, however, that had been expressed by other gentlemen, in consenting to entrust a greater disposable force to those hands, who had managed so badly what was under their direction. He thought the military estimates should be laid before the house prior to the discussion of this bill.

The Chancellor of the Exchequer was sorry that the question had gone to so great a length of discussion. He must, however, say, that there would be no backwardness on the part of the noble lord or his majesty's ministers, in giving the house the fullest account which was in their power upon the subjects which had been mentioned. If it should then be found that the resources of the country had been shamefully wasted, whatever judgment might be passed upon ministers for causing this waste, still that would be no reason why the waste should not be repaired. He should, however, declare that there had been no waste; and he was confident the house would be of the same opinion when these matters should come regularly before them. The gentlemen on the other side would have a very difficult task, if they should endeavour to persuade the house that no effort should have been made by this country to aid Spain. If they meant, however, to allow that something ought to have been done, they would have then to point out to the house in what manner this succour would have been administered under their able hands, if they had been in power. From the specimens, however, which had been given in this way in the debates in the present session, his majesty's ministers felt undismayed at the result of such a discussion. The house had already heard most curious plans of campaigns suggested by some of those gentlemen, and per-

haps they would hear some more curious in the next discussion, but he believed they had heard nothing, nor would hear any thing from them which would incline the house or the country to believe that more effectual aid would have been given to Spain, if the administration of the resources of the country were in their hands.

Mr. Elliot was sorry to see that ministers had no other resource, but going to the old hackneyed scheme of robbing the militia to recruit the regular army. He thought those bills went to introduce an indirect and fraudulent system of taxation into the country; and that although government might give ten guineas to the balloted man, that would go but a small way in getting a substitute.

The question being put, the house divided :

For the motion	- - -	77
Against it	- - -	26

Majority	- - -	51
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Leave was accordingly given to bring in the bill, which was presented and read a first time.—Adjourned.

HOUSE OF LORDS.

THURSDAY, JANUARY 26.

OVERTURES FROM ERFURTH.

The Earl of Liverpool rose for the purpose of moving an address of thanks to his majesty, for having commiserated the papers on the table. He was not aware that any objections would be made to the conduct of ministers, in having received the overtures from Russia and France in the manner they did. After the extraordinary occurrences that had taken place in Spain, and the means that were adopted to give effect to them by one of the parties to these overtures, it was evident that little reliance could be placed on any proposals that they might have offered. His majesty's ministers, however, had laid it down as a principle of their government to meet any fair proposition of the enemy, at any period of the war, with a frank and ready answer. A proposition of that kind was contained in the conclusion of the first communication. It professed a readiness to treat with Great Britain, and the powers with which she was allied, on the basis of the *uti possidetis*, or any other basis founded on that reciprocity.

which could alone afford the grounds of an honourable and permanent peace. It was desirable, on the part of his majesty's government, not to involve themselves in a negotiation without a perfect understanding as to the basis on which it was to proceed. They wished, therefore, to ascertain, at the commencement, in what light the Spanish government, to whom his majesty was bound by the most solemn engagements, was to be considered; whether the junta, exercising the monarchical power for Ferdinand VII. was or was not to be a party to the treaty. The relations that had lately taken place between his majesty and the Spanish government were no secret to France and Russia. His majesty demanded to know if Spain would be admitted as a party. What was the answer? Why, none of those that might have been offered, and which might have produced a temporary delusion with respect to the sincerity of those powers. No: the mask was thrown off at once; and the loyal population of Spain, fighting for their legitimate monarchy, the independence of their country, and every thing dear to man, are stigmatised by the odious epithet "the Spanish Insurgents;" and all pretensions, either for them or from them, to become a party in the negotiation, scoffed at and ridiculed. Under these circumstances, he could not conceive there could be any difference of opinion respecting the line of policy which his majesty's ministers ought to have pursued. They rejected the proffered negotiation rather than abandon Spain. How far they were right in forming any engagements with Spain, in interfering in her concerns, was not the question before their lordships at present. It may have been wise, it may have been rash and unadvised; but having once formed the engagements, having by the promise of our support incited the Spaniards to a more instantaneous and determined resistance than they would probably have otherwise made, he trusted there was not a man in the country who would be found capable of advising that that gallant people should be abandoned. His lordship concluded with expressing his deep regret that the Emperor of Russia could have returned such an answer as he had to the communication from our government, and that he should have so far lent himself to the passions and designs of the person at the head of France, as to compute the efforts of a people who rose upon their ancient and established government, to the

struggles of the Spanish nation against the most foul and atrocious usurpation of which history could furnish an example. His lordship then read the address, towards the conclusion of which the warmest approbation was expressed of the conduct of government, in having refused to treat unless Spain should be admitted as a party to the negotiation.

Lord Grenville lamented that the address was couched in such language as to render it impossible for him to concur in it. He had before stated, and he would now state again, that peace was not to be expected under the circumstances in which that overture was made. The possession of Spain was of vital importance to Bonaparte. It was, perhaps, the greatest interest for which he had ever contended. When he made his proposal, he had provided all the means of insuring the complete success of his project. He secretly laughed at the extravagant expectations which the people of this country were taught to entertain of the triumph of the Spanish cause. He knew that two months would put into his power that country which ministers wished to make a subject of negotiation. And was it then to be expected that he would give away, by a stroke of the pen, that which remained to be decided by the force of arms? He did not find fault with ministers for not abandoning the cause of Spain, but for having put themselves in a situation not to be able to negotiate without bringing in Spain as a party. They called upon Bonaparte to surrender that as a preliminary which was the fair object of a negotiation. If they expected that he would make a sacrifice of his pretensions to Spain, had he not a right to expect similar concession on their part, and an offer to sacrifice some great object of British interest to have induced him to relinquish Spain. But what did ministers do? They began at the wrong end. There was no instance in history in which a power was required as a preliminary to abandon a most essential interest. His lordship complained that the nature of the engagements by which we were bound to Spain was kept a secret. This was not the way in which the legislature was accustomed to be treated.

Lord Eldon (Lord Chancellor) observed, that it afforded him very great satisfaction to hear that it was not owing to his majesty's ministers that the people of this country were not now in possession of the blessings of peace. It

was essential to satisfy the country, that nothing consistent with the honour of Great Britain had been left undone to procure it. From the circumstances under which the offer to negotiate was made, no success could be expected to attend it. There was no allusion to the engagements between this country and Spain. The potentates who met at Erfurth acted as if they considered that kingdom in alliance with them, and not with us. He could not agree with the noble baron who spoke last, that ministers should have considered the Spanish cause as one of absolute despair from the commencement—that it was a struggle which could not possibly last above two months. He hoped that great and valorous struggle was not to be so terminated. He denied that ministers called upon Bonaparte to abandon his pretensions to Spain as a preliminary to negotiation. They made no such demand. They only advised his majesty to ask this question: will you, as preliminary to negotiation, admit the Spanish government to state their own claims. It was obvious, from the answer of both France and Russia, that whatever peace might be made between them and England, Spain was to be surrendered to the former. However the negotiation might terminate, it was to be wrung from us that a Bonaparte was to be king of Spain. He was persuaded that no sacrifice this country could have offered to make, would have induced him to relinquish his pretensions to Spain; and he therefore thought the wisest, the most just, and magnanimous policy on the part of England, was to put an end to the negotiation as soon as possible.

Viscount Sidmouth agreed with his noble friend, that the overtures from Erfurth could not have by any possibility led to peace. He was happy to find that there was a disposition in the country to make the most vigorous efforts to prosecute the war, thro' which the only road to a safe and honourable peace lay. He rejoiced to find that there was no sacrifice which the country would not rather make than consent to abandon Spain to the most foul usurpation that ever polluted the pages of history. The object of France, in making the overtures, was three-fold. She wished to delude the people of this country, by the hope of a negotiation on the basis of the *uti possidetis*. Another motive was, to sow distrust between us and the Spaniards, and by these means to abate the spirit which was rising in that country; and the last was only a repetition of the

old stratagem to endeavour to persuade the people of France, and the degraded inhabitants of the countries under the influence of France, that if they were robbed of the blessings of peace, it was entirely to be attributed to England. His lordship condemned the conduct of Russia, but said, that much of the hostile spirit evinced by her towards us was owing to our unprovoked and unjustifiable attack upon Denmark. He lamented that we had not given as strong proofs of our sincerity to make common cause with Spain, by the magnitude and wisdom of our military co-operation, as we had in refusing to negotiate unless she was admitted as a party. With such means as ministers had in their hands, it was right to inquire why they had not made a better use of them. It was incumbent on them to lay before parliament, and without delay, detailed information of the conduct of the war in Spain; to shew how we had stood and did stand with respect to that country.

Lord Mulgrave wished the noble viscount had confined himself to the question before the house, and not endeavoured to draw their attention to subjects, the policy of which had received the full sanction of parliament. He justified the seizure of the Danish fleet, as a measure of necessary precaution. If ministers had neglected to do so, it would have been now arrayed against us with all the fleets of Europe, and it would long since have been made an instrument for the subjugation of Sweden, or compelling her to renounce all connection with this country. He was not surprized that the noble baron (*Lord Grenville*) who spoke in the debate, did not approve the conduct of ministers. It was not conformable to his cold and cautious policy; but though it did not please the noble lord, he had the satisfaction of knowing that it accorded with the generous and exalted sentiments of the country. He wished that the noble baron, and those who agreed with him, would divide the house on this question, that the country might know who among them were disposed to assist the Spaniards, and who were for leaving them to the most horrid tyranny under which a nation ever groaned. He denied that any secret engagements had been formed with Spain at the time the overture was made. It was an engagement taken in the face of the country. It was an engagement of common interest, of feeling, of

every sentiment that could morally or politically interest a people.

Lord Sidmouth, in explanation, said he did not advert to the animosity of Russia, as occasioned by our conduct towards that country, but towards Denmark; we acted towards Denmark as if the hostility of Russia had been decided: and towards Russia as if it had not been so.

Lord Auckland could not help regretting the probable difference of situation, in which the country would have been placed, if his noble friend (*Lord Grenville*) had been minister. We should then, in all probability, have had full access to the Baltic, a peace with America, and her assistance as an ally against France. As to the war in Spain, if the noble lord could "lay" any "fluttering unction to his soul" on this reflection, he had not ill-nature enough to attempt to deprive him of it; he should only say again, that if his noble friend had been minister, the country would not now have had to regret the loss of the finest army England had ever sent abroad. The noble lord did not impute the least blame to ministers for their conduct upon Bonaparte's late pacific overtures; nor did he impute to them the most distant suspicion of a desire not to make peace. He did not think Bonaparte's overtures sincere; for in the very beginning of his speech on the opening of his legislature, he says, "Providence has thrown the army of England into my power, and I am going to annihilate it;" and this without waiting for an answer to those overtures. The noble lord was sorry, however, for one thing which had occurred in this negotiation; and this was the recognition of King Ferdinand VII. The noble lord stood close to Charles of Spain when he received his crown, and did not believe he would ever voluntarily resign it.

The Earl of Suffolk said, the army in Spain should have followed the military example of Marlborough, and should have secured Barcelona for a post of retreat; without this security, no army should again be ventured into Spain.

The Earl of Liverpool said, that with respect to the charges which might be brought against ministers for their conduct of the Spanish war, they were perfectly prepared to defend every movement of it; and if either the noble baron (*Grenville*), or the noble viscount (*Sidmouth*), ob-

jected to that conduct, why did they not prefer some specific motion on the subject, which ministers might know how to meet?

Lord Grenville said that he was astonished at the question which had just been put. Was it possible that any motion could be framed, before the house were furnished with half the papers upon the subject? Ministers had even kept back from us the last dispatches of Sir John Moore, which that gallant general so fervently wished to be laid before his country. The extent of our disaster too was yet unknown, every day bringing with it fresh intelligence and additional misfortunes.

Lord Sidmouth replied to the noble earl's question to much the same effect.

The question was then put on the address, which was carried *nem. con.* and the house adjourned.

HOUSE OF COMMONS.

THURSDAY, JANUARY 26.

The Speaker attended to take the chair as usual, at four o'clock, but only 38 members being in attendance, he adjourned the house till the next day.

HOUSE OF COMMONS.

FRIDAY, JANUARY 27.

Lord Folkestone moved, that a new writ be issued for the election of a member for Poole, in the room of John Jeffry, Esq. who, since his election, had accepted the office of consul general in the dominions of her most faithful majesty in Europe.

Mr. Rose expressed some doubt whether that honourable member had, by such acceptance, vacated his seat, within the meaning of the place act. He knew of no precedent on record, wherein a member of that house could be construed to have vacated his seat by accepting the office of minister at any foreign court. It was not so deemed in case of an envoy sent to Vienna in the reign of Queen Anne, which was the only case within his recollection that bore any analogy to the present. He hoped, however, the noble lord would have no objection to wave his motion for the present, in order that the question

might be referred to a committee, to inquire whether or not Mr. Jeffry had vacated his seat by the acceptance of his present office.

The Speaker mentioned another precedent of an envoy sent to the Netherlands in the year 1762; and what analogy that case bore to the present would be for the house to judge. He suggested, however, the propriety of adjourning the debate on the subject for the present, until the opinion of a committee should be reported.

Lord Folkestone acceded to the proposition of a committee, which was accordingly appointed, and the debate was adjourned to Monday se'nnight.

Lord Folkestone moved, that an humble address be presented to his majesty, praying that he would be graciously pleased to order that a copy of the appointment of Mr. Jeffry be laid before the house.—Ordered.

GENERAL SIR JOHN MOORE'S FAMILY.

Lord Morpeth wished to ask the noble lord (Castlereagh) whether it was the intention of government to propose any provision for the family of that gallant and justly-lamented officer, Sir John Moore, who had recently fallen a sacrifice in the cause of his country. He was induced to ask this question, because he had expected the able and eloquent eulogium of that noble lord upon the high character and eminent services of that gallant commander, and the consequent motion for a monument to celebrate his fame, would have been followed by some proposition for a permanent provision for his family, which depended on him for support, and must have been dear to his affections, but that he was hitherto disappointed in that expectation.

Lord Castlereagh perfectly agreed with the suggestion of the noble lord, that the family of Sir John Moore had every claim on the gratitude and generosity of his country; but the noble lord, he was sure, would agree with him in deferring to the feelings of the crown upon this occasion, confident that his majesty had by no means lost sight of a purpose so nearly affecting the public feelings.

THANKS TO SIR ARTHUR WELLESLEY.

Sir A. Wellesley having appeared in his place,

The Speaker rose and addressed him nearly in the terms following:

“ Sir Arthur Wellesley, it was one of the first objects of this house, in directing its attention to the brilliant services of the British army in Portugal, and amidst the contending opinions upon other subjects connected therewith, to express its public approbation of those splendid services, you have rendered to your country on that important occasion. You have been called upon to command the armies of your country in that expedition; and it was your peculiar good fortune, by your eminent skill and gallant example, to inspire your troops with that confidence and intrepidity which led them to such signal triumphs in those battles, which have so justly obtained for you the thanks and admiration of your country, and rendered your name illustrious to the extremities of the British empire. Your great military talents, thus eminently successful in your country's cause, have justly intitled you to royal favour and to the gratitude of parliament; and it is with the utmost satisfaction that I now repeat to you the thanks of this house. I do therefore, in the name of the parliament of the united kingdom of Great Britain and Ireland, return you their public thanks for the splendid victories obtained by you over the French army in Portugal, on the 17th and 21st days of August, 1808, so honourable and glorious to the British arms.”

Sir Arthur Wellesley returned his thanks to the house for the high honour now conferred upon him, and in a peculiar manner to the right honourable gentleman who filled the chair, for the very polite and obliging manner in which he was pleased to repeat to him the sense which the house of commons did him the honour to entertain of his humble exertions for the public service. No man felt more gratefully, or valued more highly than he did, the approbation of parliament and of his country; the officers and soldiers of the British army looked up to that approbation, as the highest honour that could be held out as an excitement to their valour. Conscious as he was of his want of powers to express the sense he now felt of the distinguished honour this day conferred upon him, he hoped the house would be pleased to accept his most grateful acknowledgments for their favour.

Ordered, that the address of Mr. Speaker, and the answer of Sir A. Wellesley, be entered upon the journals.

GENERAL ANSTRUTHER.

Sir John Anstruther rose to express his extreme regret that the name of a gallant relation of his, who had fallen a sacrifice in the cause of his country, on the late march of the British army to Corunna, had been honoured with no place in the votes of thanks which had passed that house to the officers who had been employed on that service. That was a circumstance which bore heavily on the feelings of that gallant officer's friends and family. That he did not in his death share the honours so justly paid to *Sir John Moore*, for the victory at Corunna, was not to be imputed to him, as it was upon his march thither that he fell a victim to excessive fatigue only forty-eight hours before the battle, in which, but for this premature fate, he would have borne a distinguished part. He took the opportunity of mentioning this subject to the noble lord, with a view to ask, if such a gratification could be conceded to the wishes of General Anstruther's family.

Lord Castlereagh answered, that he had every wish to acknowledge the eminent services of the gallant general, and that he felt every disposition to do honour to his memory; but on the present occasion, he feared it was not compatible with the usage of parliament, to name any officers but those who were actually present.

Sir A. Wellesley bore strong testimony to the distinguished gallantry of General Anstruther. He was confident, had it been consistent with parliamentary usage, his name would have been included in the vote of the house.

The Secretary at War concurred in the same sentiments, and added, that the gallant general's name had twice before been included in the thanks of the house.

GENERAL STEWART.

General Grosvenor adverting to the signal instance of bravery evinced by a gallant relation of the noble lord opposite to him at Benevente, where, at the head of some pickets of British cavalry, he attacked and defeated a body of the enemy's horse, wished to know if so signal an exploit was not deserving of particular mention in the thanks of the house.

Lord Castlereagh said, that however brilliant the con-

duct of his gallant relation had been upon the affair to which the honourable general alluded, it would be departing from the uniform usage of parliament to thank individual officers for actions with detachments.

THE COMMANDER IN CHIEF.

Mr. Wardle now rose to submit to the house his promised motion, respecting certain abuses which had obtained in the disposal of commissions in the British army. In doing this, he said, he should make no assertion in which he was not supported by positive facts. The power of disposing of commissions in the military service of this empire had been placed in the hands of a person of high birth, power, and influence; and he was sorry to observe, that this power had been exercised to the worst of purposes. But notwithstanding the high authority and powerful influence which the commander-in-chief of this country possessed, no respect to either should induce him to swerve from his duty as a member of that house, or operate with him as a motive to screen his royal highness, in any misuse of his power or authority, from that public justice which was called for by the voice of the people. No other motive impelled him that day than a sense of his public duty; for if corruption were not attacked in a quarter where it was so formidable, the army and the country must fall the victims of its influence. It was necessary, in the first instance, to put the house in possession of the true purposes for which the disposal of commissions in the army was placed in the hands of the commander-in-chief. It was for the purposes of defraying the charges of the half-pay list for the support of veteran officers, and increasing the compassionate fund, for the aid of officers' widows and orphans; and, therefore, any commissions which fell by deaths or promotions, the commander-in-chief had no right to sell or dispose of for his own private emolument, nor to appropriate for the like purpose any differences arising from the change or reduction of officers from full to half pay. He had thus explained, he believed, the nature of the power vested in the hands of the commander-in-chief; but he could bring positive proofs that such commissions had been sold, and the money applied to very different purposes from the legitimate ones required by the military usages and establishments of the

country. If he could prove that those purposes were, in a variety of instances, abandoned by the commander-in-chief; that officers had been reduced to the half-pay list without receiving the usual difference in such cases; and if he could substantiate such a violation of the rights of military officers, it was a duty he owed to his constituents and his country to do so.

In the year 1808, his royal highness set up a very handsome establishment, in a fashionable quarter of the town, consisting of a superb house and elegant carriages of various descriptions, for a favourite lady of the name of Mrs. Clarke. Of the lady's name he should have occasion to make frequent mention in the course of his speech, in connection with a number of names and facts, to shew the house that he had not taken up this subject on light grounds.

The first fact which he should state was the case of Major Tonym, of the 48th regiment, who received his commission as a captain on the 2d of August 1802, and was promoted to a majority in the 31st regiment, in August 1804. He meant no reflection upon this gallant officer, nor in the smallest degree to depreciate his merits; he meant merely to state facts as communicated to him. Major Tonym was the son of a very distinguished officer, and might have purchased his promotion, if he chose; but this gentleman was introduced to Mrs. Clarke by a captain of the royal waggon train; and it was agreed, that upon his appointment to a majority, he should pay 500*l.* the money to be lodged at a house to be named, three days before he was gazetted, and then paid to a Mr. Donovan, a surgeon, in Charles-street, St. James's square. As he should have occasion to mention this gentleman (Mr. D.) again, it was necessary to state, that in 1802, he was appointed to a lieutenancy in a garrison battalion. He had never inquired what was the nature of the services he performed; but certainly no military services, for he had never been near his regiment, and seemed to have a perpetual leave of absence. He could not account why this gentleman's appointment was not in his professional line, upon the medical staff, sufficiently extensive as it was for the purpose. The introducer was Captain Huxley Sanden. This money was appropriated by Mrs. Clarke towards the purchase of an elegant service of plate from Mr. Purkis, a silversmith, the com-

commander-in-chief paying the remainder. Thus it was evident that Mrs. Clarke had the power of disposing of commissions for purchase; secondly, that she received pecuniary considerations for promotions; and thirdly, that the commander-in-chief partook of the emoluments; and this he could prove, by the evidence of five witnesses, including the executors of Mr. Purkis.

The next fact he would adduce, was that of Colonel Brooks, on the 25th July, 1805, and which was transacted through a Mr. Tydd, a medical gentleman of high respectability. It was agreed between him and Mrs. Clarke, that she should receive 200*l.* on his exchange being gazetted: the lady was extremely anxious, and said she could have an opportunity of getting 200*l.* without calling on the commander-in-chief, and on the Saturday following the promotion was gazetted. He should be able to produce Lieutenant-Colonel Brook and Lieutenant-Colonel Knight; and he would be the last person in that house to bring forwards such charges without competent evidence. He should now state a case by way of contrast to the last, and for the purpose of shewing that such permissions to exchange were not easily obtained from the Duke of York. It was the case of Major M'Donnell and Major Sinclair, of the first regiment of foot. Major Sinclair had been a considerable time in the West Indies; the climate perfectly agreed with his health, and therefore he was desirous of going upon that service, and applied to the commander-in-chief; Major M'Donnell, who was in a puny state of health, earnestly applied to the commander-in-chief for leave to decline that service, apprehensive of the danger of the climate, and wishing to remain in England. But Major Sinclair was refused permission to go, and Major M'Donnell was refused permission to remain, and was ordered to the West Indies; and both gentlemen fell victims to the arrangement, for they soon died. But they offered no bribe to the military patroness, whose influence could have prevailed in their cases.

The next was the case of Major Shaw, appointed deputy barrack master general at the Cape of Good Hope. It appeared that the commander-in-chief had no favourable opinion of Major Shaw; but Mr. Clarke interposes: he consents to pay her 1000*l.* Of this money he immediately paid 200*l.*; shortly after he paid her 500*l.*;

when she, finding he was backward in the payment, sent to demand the remainder; but finding no chance of receiving it, she complains to the commander-in-chief, who immediately put Major Shaw upon the half-pay list. The honourable gentleman said, he had a letter from Major Shaw himself, stating the fact, and he never knew but one other instance of an officer being thus put on the half-pay list. Here then was further proof, to shew that Mrs. Clarke's influence extended to the army in general, and that it operated to put any officer on the half-pay list; and that the commander-in-chief was a direct party in her authority.

The next case to which he should advert of the lady's influence, was that of Colonel French, of the horse-guards. This gentleman was appointed to a commission for raising new levies in 1804, and the business was set on foot by Mrs. Clarke. He was introduced to her by Capt. Huxley Sanden, and she was to have a certain sum out of the bounty to every recruit raised, and a certain portion of patronage in the nomination of the officers. She was waited on by Colonel French, of the first troop of horse-guards, and as the levy went on, she received various sums of money by Colonel French, Capt. Huxley Sanden, Mr. Corri, and Mr. Cokayne, an eminent solicitor, in London, in the following rates, viz. for a majority, 900*l*.; captaincy, 700*l*.; lieutenancy, 400*l*.; and ensigncy, 200*l*. whereas the regulated prices were respectively 2600*l*., 1500*l*., 550*l*., and 400*l*.; and consequently all this money was lost to the half-pay compassionate fund, to put money into Mrs. Clarke's pocket.

The next instance was one in which the commander-in-chief himself was a direct partaker in the advantages of this traffic, by a loan to be furnished through Colonel French, the writings for which were drawn by a Mr. Grant, an eminent solicitor of Barnard's-Inn, for the purpose of raising 300*l*.; but he did not receive it, because there were 3,000*l*. due from government to Colonel French. Hence then it was obvious that Mrs. Clarke exercised an influence in raising the military force of the country, in disposing of commands in that force, and in converting the purchase of commissions to her own private advantage.

Having now said enough of Mrs. Clarke, he would next proceed to the case of Captain May, of the royal African

corps. He meant no reflection upon that officer. He was appointed to an ensigncy on November 28, 1806; some time after, he was made lieutenant. He had still the good fortune to remain a clerk at the desk of Mr. Greenwood, army agent. On the 15th of April, 1808, he was employed by the Duke of York, and before the end of the year he was raised to a captain in the royal African corps, the third year after his first appointment, and without seeing service; thus promoted over the heads of all the subalterns of the army, without any regard to their long services and wounds in their country's cause, though many of them had lodged this money to pay the differences on promotion. Whether the honour and interests of the British army, and the feelings of the officers, were properly to be subjected to such a system, the house of commons would judge and decide. He hoped, after what he had stated, the house of commons would not refuse to grant him a committee to inquire into those transactions; and if they agreed, he would pledge himself to bring as evidence before them Mrs. Clarke herself, and the whole of the other persons whom he had named.

There was another circumstance in this case which he could not pass unnoticed: it was the existence of a public office in the city of London, where commissions in the army were offered to purchasers at reduced prices, and where the clerks openly and unequivocally stated, in his own presence, and in his hearing, that they were employed by the present favourite mistress of the commander-in-chief, Mrs. Carey; and that, in addition to commissions in the army, they were employed to dispose of places in every department of church and state; and those agents did not hesitate to state, in words and writing, that they were employed under the auspices of two of his majesty's principal ministers. Having now gone through the whole of his statement, the honourable member concluded by expressing his hope that the house would grant him a committee to inquire into the conduct of the Duke of York, in respect to the disposal of military commissions; and he moved accordingly.

Sir Francis Burdett seconded the motion.

The Secretary at War said, he did not rise to give any opposition to the motion, at least to any fair and reasonable extent to which the proposition might be thought necessary. The honourable gentleman had, in a very

candid manner, brought forward facts of the most important kind, and in their consequences most serious and weighty. He conceived the house would readily acquiesce in going into an inquiry of the facts which had then been brought forward, or any other facts which the honourable gentleman might still intend to produce hereafter; but as to a general inquiry into the conduct of the commander-in-chief, he would not agree. He was certain that illustrious personage was ready to go into a full investigation of these charges. As to the half-pay list, he had already stated on former occasions, that it had been most extensively and materially benefited by the commander-in-chief, who had voluntarily resigned a very extensive patronage, in order that the sale of the commissions might be brought in aid of the compassionate fund, by which that fund had been greatly increased. With respect to the barrack department, he thought it proper just to state that it was not within the patronage of his royal highness the Duke of York. He wished also to observe, that the manner in which the army had been fitted out, which was lately sent to Portugal, was a very striking mark of the superior military talents of the Duke of York, and a strong proof of his great attention to and regard for that army, and of course militated against the truth of the charges, which, if founded in truth, must strike at its discipline, and, through that, at its very existence. His right honourable friend near him (Sir A. Wellesley), who had so lately commanded that army, would readily tell the state in which he found it; and great as his right honourable friend's talents were for inspiring his soldiers with courage, spirit, and activity, he could not speedily have instilled into them the noble energies of which they had given such unequivocal and brilliant proofs, if they had previously been under such inattention to and neglect of discipline as these charges held out. The spirit of promotion which had been infused into the army by the commander-in-chief, and which throve so well under his auspices and nourishment, together with the extreme regularity, order, and arrangement which he had introduced into every military department, had done every thing for the army, and evinced that he had ever been actuated by the greatest zeal and anxiety for its honour and its interests, whereas the charges, if true, would make him one of its most inveterate enemies. He thought it neces-

sary to make these few observations as to what he knew of the conduct of the illustrious personage in question ; and, having done so, would not trespass further on the time of the house than to say, he was very happy the honourable gentleman had brought them forward, as he was sure the commander-in-chief wished nothing more earnestly than that they might be fairly and fully investigated.

Sir A. Wellesley said, he rejoiced sincerely that the honourable gentleman had brought forward certain facts on which a committee might be able to judge. His right honourable friend had said that he was able to speak as to his knowledge of the army he had lately commanded, with respect to its discipline, and also as to the character and conduct of the commander-in-chief. He could truly answer that it had fallen to his lot to know particularly how promotions were made, and that such an advancement in the army never took place without the names being produced, by whom recommended, and the sums ascertained which were paid for the same. There was also a correspondence, shewing how the money was brought in that was intended for the half-pay fund, and what sums went out of it. He rejoiced, therefore, at the statement of facts alleged, and then brought forward.

With respect to the removal of the deputy barrack-master-general at the Cape of Good Hope, he believed, and indeed knew, it was a case that frequently occurred, and that staff-officers, not on full pay at the time they were appointed, must go on half pay ; those who happen to be on full pay at the time appointed, remained on full pay ; but those only on half-pay must remain so. He did not know that this was the case in the instance then alluded to by the honourable gentleman, but he mentioned these circumstances because it might happen to be so ; and if it were, the usage of the service would account for it, and shew that it was no fault nor partiality in the commander-in-chief. As to the case of the two officers in the West Indies (Majors M'Donnell and Sinclair), to whom the honourable gentleman had alluded, he thought it would be putting the commander-in-chief into a very severe and invidious predicament indeed, if, because he would not consent to any particular exchange which might have suited the private convenience or interests of those two individuals, that he should, therefore, be liable to the charge of their deaths. This would be carrying his re-

responsibility for events not depending on himself a great length indeed, and never could be thought reasonable. If, indeed, general charges were to be brought forward and countenanced against persons filling so high and important a station as that of commander-in-chief, it would, he feared, become very difficult to prevail on persons of the elevated rank of the illustrious person in question to accept an office of such extraordinary and extensive responsibility. It would appear from the statement of the alleged facts, that with a view to save money from going out of his own pocket, the commander-in-chief had connived at, or authorised the sale of commissions, the emoluments of which went into the coffers of his favourites, to the great detriment and injury of the compassionate fund. This seemed to be most contradictory of every principle of reason, or even probability. The compassionate fund actually originated with the commander-in-chief, who gave up voluntarily, and most liberally and generously, a very extensive patronage, in order that the commissions so within his gift might be sold, and added to the compassionate fund, in order to exonerate the half pay list. If he had wished to make use of these for corrupt ends, nothing could be further from his purpose than the mode he had adopted. He coincided perfectly with his right hon. friend (the Secretary at War), and should deem himself greatly deficient in duty, as well as justice, should he omit to speak of the state of the army so lately under his command in Portugal, and whose gallant achievements had so recently received the thanks of the house. He really believed there never had been an army in a higher state of discipline, from the staff down to the meanest soldier in the ranks; and if the army had not performed the feats and acquired the glory and the reward of the thanks it had received, the fault would not have been imputable to the commander-in-chief, but to himself (Sir Arthur) only. He thought so much from him was due to the commander-in-chief, to whose superior military talents and unremitting zeal and assiduity, the high state of discipline which our army could now boast, was certainly to be attributed. Having made these observations, he should certainly vote for an inquiry.

Mr. Yorke said, he agreed with both the right honourable gentlemen who had just spoken, as to the impor-

tance of the charge, and that it was highly deserving the attention of the house. He believed there was never a charge of greater magnitude brought before it; nor had any honourable member ever before taken upon him to bring forward alleged facts, at once so serious and so weighty in themselves, and in their consequences. He was sorry to observe, it had lately been the misfortune of this country to have been inundated with the most shameful, scandalous, and atrocious libels against this illustrious character, and others of his august family. That such should have been the case, was, in his opinion, highly disgraceful to the country; and he was happy to find that the matter had at length been brought into a tangible shape, and he hoped the honourable gentleman would proceed with his facts, and endeavour to prove the very serious and important charges which he had thus undertaken to do. He had for some time past viewed with the deepest concern the continued and repeated current of scurrility which had been poured forth against various branches of the royal family; and he could not, from the whole complexion of it, consider it in any other light than as a vile conspiracy against the illustrious House of Brunswick. [*A loud cry of hear! hear! from all parts of the house.*] It had for some time past been thought by many, and said by some, that the jacobinical spirit which some years ago so unfortunately pervaded many parts of this country, was in a great degree allayed and diminished, if not altogether annihilated. He believed, however, that where a spirit of jacobinism had once taken root, it would never be wholly subdued or eradicated; and when he reflected on the numerous infamous libels which had lately appeared, he could not but consider them as the engines of a conspiracy devoted to those purposes [*hear! hear! hear!*]; conducted, it was true, against his royal highness the commander-in-chief, but actually intended against the whole family and establishment. [*Hear! hear! hear! from all sides!*] Write down the commander-in-chief, continued the right honourable gentleman, and you eventually attack and wound the whole. This he believed verily to be the aim and end in view of these perturbed spirits. He was, therefore, decidedly in favour of an immediate inquiry, and if blame there was, there let the punishment fall; but when it was considered who this illustrious personage is

against whom these facts have been alledged, how nearly he is related to the crown, how much praise he merited for his unremitting attention to the army, and its most vital interests, to which the right honourable general had just before so forcibly borne testimony, and thereby recorded, he thought that merely a commission would not be sufficient to investigate a matter of this important nature; but that, when the honour of a branch of the royal family was so deeply concerned, and so strongly assailed, the house should take up the matter on a higher ground and on a broader basis, and pass an act of parliament for a special commission, empowering them to examine persons who were brought as witnesses on their oaths. This being the impression on his mind, he should not have thought he had done his duty, if he had not thrown it out for the consideration of the house, at least; and no less grave and solemn a mode of investigation appeared to him to be properly adapted to the subject.

Sir Francis Burdett said, he thought it was impossible any gentleman could have a different feeling upon this subject from what had so forcibly been expressed by all those honourable members who had delivered their sentiments on the subject, and particularly those of the right honourable gentleman who had just sat down. For his own part, he had heard so many stories in circulation, which he had never the smallest doubt were calumnies, that without knowing any thing more of the motion than what he had heard from the honourable gentleman who brought it forward, and of his intention so to do, he had agreed to second it. He could have no other reason for doing this than a sincere wish that these stories should be fairly brought to the test of investigation before so serious, so honourable, and so competent a tribunal as the house of commons, and there receive that judgment and decision which he had no doubt would be highly honourable to the character of the illustrious personage who had been so vehemently assailed by them. The right honourable gentleman had expressed his opinion that the several gross libels which have appeared against the commander-in-chief, are so many indications to him that a conspiracy exists at this moment against the whole establishment. Where the right honourable gentleman could obtain his information, he could not tell; but for his own part, he could never suppose that in this country, where discus-

sion was allowed, such publications as those alluded to naturally or fairly led to any such inference or deduction. It had ever been the case that public characters, even in the highest rank, had, from time to time, been liable to the attacks of falsehood and misrepresentation. That it should have been so, or that it was so at the present period, he allowed was much to be regretted; but there was one consolation, at the same time, in reflecting that such weak efforts of envy or malignity were easily traced, and when found out might and ought to be exemplarily punished. He had no doubt but that the falsehood and malice of the libels alluded to by the right honourable gentleman would, on the present occasion, meet the fate they merited. He knew no way in which they had a chance of doing so which appeared to him so certain or so speedy as an investigation of, an enquiry into the present charges; and he was happy to find that the right honourable gentlemen opposite to him were of the same opinion.

Mr. Adam said he gave way to the honourable baronet, in order that he might have an opportunity of shewing, as he had done, with so much coolness, candour, and politeness, the motives which induced him to second the present motion. He was extremely glad he had done so, as the whole of the honourable baronet's sentiments had been delivered in a manner highly honourable to him. His chief reason for offering himself to the house on the present question, was for the purpose of stating what he thought would be the most desirable method of proceeding in the present case. In forming the opinion he was about to deliver to the house, he looked only to the principles of the British constitution, and the invariable end of its justice, viz. that from the highest subject to the lowest, every person accused must be taken to be innocent, till proved to be guilty. With respect to all those alleged facts which the honourable gentleman had then brought forward in a very candid manner, he had not the smallest doubt, however the honourable gentleman might have been induced to give credence to their truth or probability, it would ultimately turn out, on a proper investigation, that they are founded in falsehood and misrepresentation. With respect to money, there were some circumstances in the transactions which positively forbid him from believing them possible to attach to his royal

highness the duke of York. He had been more than twenty years, not professionally, but gratuitously, in the service of the duke of York; and he assured the house he did not mention this from any vain boast of being so honoured with the confidence of that illustrious person, but from motives of justice he thought it his duty to declare, that he had ever received the most unbounded confidence from his royal highness as to all his pecuniary affairs, and there had never been one of his embarrassments which the duke of York had ever concealed from him. He used the word embarrassments, because they had been made known even to parliament. On the accuracy of his memory in this respect, he could positively and firmly rely, and could truly say, that he never heard of any loan which he wished or attempted to negotiate with any individual whatever, that was not grounded on as fair and honourable terms as a loan of the duke of Bedford, the duke of Northumberland, or any other nobleman could be, who had occasion at any time to raise money for any particular or special purpose. He was, therefore, an advocate for the inquiry, and should be happy that the five facts, or alleged facts, which had been stated by the honourable gentleman, should be speedily inquired into. He would also wish to have this done in as public a manner as possible; for publicity was what he aimed at, as much as his right honourable friend on the floor (Mr. Yorke); but he would not wish with him, that an act of parliament should be passed to obtain this desirable end. He would not have the house give up its inquisitorial power: but to obtain that publicity which was so much desired, and was in fact so necessary for the due investigation of this important business, it was his advice that it should take place in a committee of the whole house, where every member would be a witness to it, and every circumstance would be fully inquired into. The great object was the mode of inquiry, and his decided opinion was in favour of a committee of the whole house.

Mr. Wilberforce thought, that situated as the house was as to party spirit, a committee of the whole house would not be that mode of investigation which would best be adapted to that impartiality which a charge of this high importance required. He considered the judicial power of the house in this way as very defective, and looked upon the mode proposed by the right honourable

gentleman (Mr. Yorke) as preferable, because it would enable the committee to be appointed to examine witnesses on oath, which would give the evidence a weight in the eye of the public and of the world, which the other could not do. It had been done on former occasions, and he thought this as important a case as had ever occurred, and as much entitled to such a mode of proceeding. His Royal Highness's rank, the delicacy of his honour, and the splendor of his connections require, that if put on his trial, it ought to be taken upon its real merits, and investigated in so serious a manner as to shew the house were in earnest; that the inquiry should be on the most extensive scale, and that they were determined to do justice, which would best be done by examining witnesses on oath. It was well known, the eyes of all Europe were then fixed on the deliberations of the house, and it behoved them to act in the most grave and decisive manner. He would, therefore, prefer a parliamentary commission, with power to examine witnesses on oath.

The Chancellor of the Exchequer said, he was decidedly in favour of an inquiry into these most important charges, but was inclined to prefer the mode proposed by his honourable friend (Mr. Adam), of a committee of the whole house, as best adapted to the occasion, and most likely to obtain a full investigation and speedy decision. He owned he was aware of the extreme inconvenience which such investigations produce to the house, as had been well observed by his honourable friend behind him (Mr. Wilberforce) of protracting the business, both public and private; but if there was a case that required that all inconveniences should give way to it, this was unquestionably that case.—The honourable gentleman who brought forward the motion had stated, that the agency of the office he had mentioned, extended to situations in church and state, as well as the army, and that two great officers in his majesty's present councils were privy to this office. He would, therefore, wish the honourable gentleman to name every thing which could lead to the fullest investigation. If he had any delicacy in mentioning the names of those agents publicly, it might be privately done. He wished him also to name the two persons in high situations, and he would give him every assistance to arrive at the truth. Publicity had been mentioned as desirable: he was decidedly of that opinion, which he

thought would be best had by a committee of the whole house.

Mr. Wardle said, he had no objection to give every degree of information of which he was possessed. The office was in a court out of Threadneedle-street. One of the agents' names was Delop, and he thought the other was Warren. The two great officers who had been mentioned were, the Chancellor and the duke of Portland. There were variety of places for sale, some in Jamaica, and some in England. He did not wish to keep back any thing, but was willing to give all further information in his power.

The Chancellor of the Exchequer wished the honourable gentleman would inquire further into the affairs of the office with regard to promoting exchanges and appointments in the army, and particularly of raising loans. He concluded by moving, that the committee be a committee of the whole house.

Lord Folkestone objected to this, as taking the mode of proceeding out of the hands of the honourable gentleman—a proceeding of which he had, on a former occasion, loudly complained. Either method proposed would be better than this; but he would prefer a select committee.

Mrs. Secretary Canning was surprised at the objection of the noble lord, when the honourable gentleman himself had made none to the committee of the whole house, proposed by his right honourable friend, and which he coincided perfectly with him was the most desirable. He expressed his highest admiration of the conduct of the honourable gentleman in bringing forward these charges, if his motives were purely patriotism and the public welfare; but it was not to be disguised, that when this charge was once brought forward, it must somehow or other be brought to a conclusion; and he begged him to recollect that ignominy and infamy must attach somewhere. He agreed with his right honourable friend (*Mr. Yorke*) that he was glad this matter had been brought forward in a tangible shape, and that there had been a degree of calumny the most extensive and the basest, and attended with a brutality of insult which would almost make one regret the liberty of the press, if it were not at the same time recollected, that the evil was transient, while the good was perpetual and immortal; but he must have a heart torpid and stony indeed, who did not feel the cowardice of those

infamous attacks. The charge had been public; he hoped the acquittal would be as public, and would speedily ensue:

Mr. Whitbread said, he had a very few observations to make, for he agreed with both the right honourable gentlemen opposite to him as to the propriety of a committee of the whole house. He thought, however, the right honourable secretary, who had just sat down, had gone a little out of his way in addressing his honourable friend who had brought forward this motion in the way he had done. For his part, he thought the duke of York was obliged to his honourable friend for bringing forward this charge, and was somewhat surprised the right honourable secretary could for a moment doubt the blessings of the liberty of the press, when he confessed the evil was so venial in comparison of the good; but if there had been published that brutality of insult in libels against the duke of York, of which the right honourable secretary so loudly complained, where were the law officers of the crown, and how came they so to have slumbered over their duty as not to have prosecuted? The libels alluded to were anonymous; on which a right honourable gentleman (*Mr. Yorke*) had formed an idea of conspiracy; but his honourable friend had not been anonymous; he came forward fairly and honourably to make charges which he had been led to believe were true. And though he had not a shadow of doubt the illustrious commander in chief would be found innocent of all the calumnies charged on him, yet if he be, no infamy or ignominy could thereby attach to his honourable friend, who had acted in discharge of his duty as an independent member of parliament. He thanked his honourable friend for the part he had acted, and the duke of York and his friends ought to thank him also; for if those libels were anonymous attacks which the law could not reach, this was the only way in which the character of the duke of York could be cleared from the base calumnies which had been cast on it.

Lord Castlereagh was happy to find that there had been such an universal concurrence of sentiment with respect to the necessity of examining, in the most solemn manner, the charges which had now been brought forward. He should have thought it unnecessary to trouble the house if it were not for one or two expressions which had fallen from an honourable gentleman (*Mr. Whitbread*), who seemed to

censure the idea of there being a systematic conspiracy to calumniate the duke of York and the Royal Family; and who stated that ministers and the law officers must be much to blame for not instituting prosecutions, if such a conspiracy really existed. He was somewhat surprised at the course which had been taken in the debate by a noble lord (Lord Folkestone), who suffered the original motion to be carried *nemine contradicente*, and afterwards spoke against the course which the house had adopted by that resolution. For his part, he thought that every possible publicity should be given to the proceedings upon this important occasion. It was a proud situation for the constitution of this country, as well as for the illustrious person who was the object of this accusation, to have a personage the most exalted in rank of any subject in the realm (except one), desiring the same publicity in the examination of the charges against him, as would take place in the case of the lowest and meanest subject. Although every gentleman would perceive that the house would suffer great inconvenience in being obliged to devote to this examination so much of that time that was wanting for other important business, yet it would be better to suffer that inconvenience than suffer calumnies to rest upon persons in the most distinguished and important public situations. He thought the house and the country should feel indebted to the honourable gentleman who brought this matter forward, as it was reducing those charges, which had been so often made, into a tangible shape and a form upon which a regular decision might be had. It should be recollected, however, that every charge which had hitherto been made in that house against any part of the conduct of the duke of York, had only tended to raise his Royal Highness higher in the estimation of the public, and exhibit in a clearer view the purity of the principles upon which he acted. With respect to the doubt which the honourable gentleman (Mr. Whitbread) seemed to entertain, of the existence of a systematic conspiracy to traduce and calumniate the duke of York and the other members of the Royal Family, he should ask who was there that read those newspapers which are daily presented to the public, and those other publications which come before them more indirectly, that could entertain a doubt of this systematic conspiracy? It was evident that the same party, who in times past endeavoured to subvert all the establishments of the country by

force of arms, are now endeavouring to undermine them by calumniating whatever is exalted in rank, or distinguished in situation. That party could not now think of carrying their object by force of arms, as they knew the attempt would be too desperate and dangerous in the present times, but they were unremitting in their exertions to prepare the way to the objects which they hoped to accomplish, by calumniating the members of the Royal Family, and all persons in eminent and distinguished situations. The honourable gentleman asked, what were ministers and the law officers doing, or why they did not institute prosecutions? The fact is, they have instituted prosecutions; but their entire time would be taken up in prosecuting the libellers of the duke of York, if every libel was to be prosecuted. There was also one reason which often prevented prosecution. It was in the power of any man of moderate understanding, and who had any legal knowledge or advice so to frame his calumny, that it might deeply wound the feelings of the person who was the object of it, and yet the malice of the calumny might be so disguised under the mask of fair discussion, as to make it difficult for the law to lay hold of it. There was another way in which libellers might escape justice. When the law was going to be put in force against them, they shrunk from the laws, and quitted the country. In a very remarkable recent case [here the noble lord alluded to Major Hogan], before the promulgation of the libel itself, the author had secured his passage to America. The house and the duke of York were now in a new situation, and he congratulated them and the country upon it. There was much more chance of mischief from malignant misrepresentations out of that house, than from direct charges brought in a fair and manly way in that house. As those charges had been so brought, he thought it necessary that they should undergo the most solemn, serious, and public investigation. He thought the greatest possible publicity should be given to this examination, and that every step of it should be in the face of day. He was, therefore, not for leaving it to any select committee, nor even to the twelve judges, nor to any thing short of that full and open examination, which might be had at the bar of that house. He therefore trusted the house would adopt that course.

Mr. Whitbread said a few words in explanation.

The question was then put on the motion of the Chan-

cellor of the Exchequer, "that the committee should be a committee of the whole house," and was carried without a division. It was then ordered that the committee should sit on Wednesday.

The Chancellor of the Exchequer requested the honourable gentleman (Mr. Wardle) to furnish him with a list of witnesses to be summoned, and wished to know whether the honourable gentleman meant to begin with the case of Major Tonym?

Mr. Wardle said, that he was not now prepared to say which of the cases he would begin with, as many of the witnesses were officers on their return from Spain, who had not yet arrived in England. He thought, however, by Tuesday, that he should be prepared to prove some one of the cases, and would on that day give the list of the witnesses who were to be summoned.

The Chancellor of the Exchequer thought the honourable gentleman would have done better if he abstained from bringing his charges till he had all his witnesses in England. Adjourned.

HOUSE OF LORDS.

MONDAY, JANUARY 31.

The Lord Chancellor acquainted the house that he had received a letter from Sir David Baird, expressing his gratitude for the honour conferred on him by their vote of thanks for his conduct in the battle of Corunna.

DUKE OF YORK.

The Earl of Suffolk hoped for their lordships' indulgence while he troubled them with a few observations on a subject which was not properly before the house. He observed with infinite pain the daily attacks that were made on the conduct of the illustrious person who was at the head of the military establishment. So far from there being any foundation for such condemnation, he was persuaded that it was owing to the constant exertions of that illustrious person that the army had attained a perfection in point of discipline that it never possessed before. It was owing to this admirable quality that it was enabled to make a retreat of 480 miles, in the face of a superior army, and exposed to privations of every kind. So anxious was the commander-in-chief for the improvement of the discipline of the army, that he knew an instance in which a

lieutenant-colonel was compelled to sell out, in consequence of his being incompetent to the duties of his situation. The noble earl concluded with expressing his approbation of the military college, an institution much wanted, for which the country was indebted to the illustrious person at the head of the army.

HOUSE OF COMMONS.

TUESDAY JAN. 31.

The Speaker acquainted the house, that he had received a letter from Sir David Baird, in answer to the communication he had made to that gallant officer, of the vote of thanks, passed on Wednesday last, to him and the army under his command, which he should now read accordingly. It shortly expressed the thanks of Sir David to the house for the honour thus conferred on him and the army under his command, and a high sense of the approbation of parliament. It requested the Speaker to make those sentiments known to the house; and particularly thanked him for the very polite and flattering manner in which he had conveyed the sense of parliament.

The Sheriffs of London presented at the bar a petition from the lord mayor, aldermen, &c. praying a bill to allow further time for the purchase of houses, and other operations necessary in widening the entrance to the City at Temple-bar.—Petition received, and referred to a committee.

Alderman Shaw presented a petition from James Jackson and James Mc Gowan, praying a bill to protect them in the exclusive rights of an invention to secure woollen, cotton, and paper manufactures from mildew, and render them impervious to rain.—Referred to a committee.

The Chancellor of the Exchequer moved the thanks of the house to the Rev. Charles Proby, chaplain of the house, for his sermon preached before them yesterday, at St. Margaret's church.—Agreed to.

SUPPLY.

The Chancellor of the Exchequer moved the order of the day for the house to resolve itself into a committee of supply, and that the speech of the lords commissioners be referred to them.—Ordered, and the house resolved accordingly.

The Chancellor of the Exchequer moved a resolution, that it be the opinion of this committee, that a supply be granted to his majesty : which was passed.

THE COMMANDER IN CHIEF.

Mr. Wardle wished to call the attention of the house to the subject appointed for the investigation of the committee to-morrow, in respect to his royal highness the commander in chief. He understood that some of the witnesses whom it would be necessary for him to examine touching this inquiry were not now in London, particularly Major Knight and Major Brooke ; and as he wished to adduce such proofs as would place the truth of the statement he had made to the house beyond the possibility of doubt, he trusted the house would not expect him to go through the whole of his case without the attendance of those witnesses he thought necessary. He was ready, however, to go into the inquiry to-morrow or any other day the house thought more proper, with such witnesses as were in readiness to attend. But he hoped the house would indulge him with some further delay in respect to those points, to establish which the necessary witnesses might not be immediately forthcoming, and permit him to move for any additional witnesses to those he had already named, and whom he should deem requisite in the progress of the business. The witnesses, for whose attendance to-morrow he should now move, were Lieutenant-colonel Knight, of the 5th dragoon guards ; Major Brooke ; Dr. Andrew Thynne, of Berners-street ; Robert Knight, Esq. of Dean-street, Audley-square ; and Mrs. Mary Anne Clarke, of Westbourne-place, Sloane-square.

Those several person were accordingly ordered to attend, as was the proper persons from the office of Messrs. Cox and Biddulph, bankers, with their banking-book for July last. It was also ordered that Mr. Biddulph, a member of the house, do attend in his place to-morrow.

DEBTORS IN EQUITY.

Sir Samuel Romilly, pursuant to notice, rose to bring forward his motion for leave to bring in a bill for extending to debtors, confined upon the orders of courts of equity, the benefits of the act of the 32d Geo. II. commonly called the Lords' act. The learned member shortly explained the nature and objects of this bill. Previously to

the passing of the Lords' act, the creditor was entitled, by the common law, to confine his debtor for life, or until his debt should be liquidated, without making him any allowance whatever. By the Lords' act it was ordained, that every debtor, confined for sums not exceeding a certain amount, should be entitled, upon affidavit of the fact, to claim from the creditor, at whose suit he was confined, a pittance for his maintenance of 4d. per day, to be paid him weekly, on a certain day, and any default of such payment entitled the debtor to his liberation. By subsequent acts of the 33d and 37th of his present majesty, this allowance was increased to sixpence; but the relief was in no case extended to persons confined for non-payment of equity debts, and who were attached for contempt of court, in consequence of such non-payment. The object of his bill, therefore, was to extend the relief to such persons, notwithstanding any law to the contrary.—Leave was given to bring in the bill.

VICTORY AT CORUNNA.

Lord Castlereagh, after expressing his regret that the name of an honourable and gallant officer was, by mere inadvertency, omitted in his motion on Wednesday last, for the thanks of the house to the officers of the British army at the battle of Corunna, moved that the thanks of the house be returned also to Brigadier-general Crawford, for his gallant conduct on that occasion.—Agreed to, *nem. con.*

CLOTHING CONTRACTS.

Mr. H. Thornton adverted to the subject of certain contracts of a former year, for supplying the army with great coats, which was brought into discussion towards the close of the last session, by an honourable colonel opposite to him (Colonel Wardle), and rose now for the purpose of moving that there be laid before the house the copy of a letter of the 29th of June, 1808, addressed from Messrs. Pearse and Co. army clothiers, to his royal highness the commander in chief, the production of which he was confident would vindicate the conduct and character of those respectable persons from the obloquy which had been thrown upon them by the honourable colonel, and prove that the statements on which that honourable gentleman had founded his motion were completely erroneous. Indeed he had hoped that the honourable member himself,

now that he was apprized of the circumstance, would have been forward to acknowledge his error, and do justice to the characters and feelings of those gentlemen, for the injury they had sustained from his statements. He moved for the letter above stated.

Colonel Wardle said, he felt himself taken by surprise in this motion of the honourable gentleman. He however felt confident, that the letter in question, so far from exculpating the conduct of those persons, would render it still blacker; as he could prove that they had no scruple in falsifying upon one page of their books, when it served their purpose, that which they asserted on another, and that the public suffered great injury from their conduct.

After some further conversation, in which Messrs. Thornton, Huskisson, Wardle, and the Chancellor of the Exchequer took a part, the motion was withdrawn.

SIR JOHN MOORE.

Mr. Whitbread wished, before the order of the day was read, to ask the noble lord on the opposite bench, whether there was any probability the public would be gratified with the publication of any part of Sir John Moore's dispatches. From what fell from the noble lord on a preceding evening, he was taught to expect there would be no objection to publish certain parts of these dispatches. He had looked with great anxiety to Saturday's gazette, and was disappointed to find they did not appear in it.

Lord Castlereagh observed, that the honourable member had anticipated what he intended to mention before he sat down. The purpose for which he chiefly rose was to ascertain from an honourable member, on the opposite bench, the nature of the motion respecting Spain of which he had given notice for Monday se'nnight. The period of discussion being so remote, it was very desirable for both sides of the house to be put in possession of all the preliminary information that was necessary. They would be the more competent to come to a fair decision, by possessing those instructions on which the campaign was carried on. On the part of government, there would be no objection to granting copies of these. The only restriction they wished to make related to pending instructions; and copies of these he hoped to be able to lay before the house while the other papers were preparing. Ministers were as

anxious as the honourable member for the discussion ; and as it would much forward the business, if the necessary information were obtained, he trusted that the honourable member would frame a motion with a view to that object. He would be happy to communicate in private with him on the subject, and to facilitate his object by every means in his power.

With respect to the question put to him on the subject of Sir John Moore's dispatches, he regretted that it was not possible for him to gratify the honourable member's curiosity. Those dispatches he considered as private and confidential. They were marked so on the back of the letter ; they were so declared to be in the body of the dispatch. It was distinctly left to the discretion of ministers to publish such parts of them as they pleased, or to withhold them altogether. It certainly was the wish both of himself and his colleagues to gratify the public and the friends of that gallant officer with extracts from the dispatches, but they found it so difficult to select such parts as it would be prudent and proper to publish, that they were under the necessity of wholly relinquishing the design. After the letter relating to the last event in Spain, there was nothing in Sir John Moore's dispatch necessary to be made public in the gazette. Upon mature consideration, he was convinced that it could not, with any propriety, be brought forward as an insulated production. He wished, however, to gratify the friends of that gallant officer as far as possible. Their object, he presumed, would be obtained if the dispatch should become public in any way. He had no objection that it should be produced as part of the correspondence necessary for the discussion of the conduct of the war in Spain, though he must still adhere to his objection of publishing it in the gazette.

Mr. Ponsonby had no objection to state the general purpose of his motion. It would be for a general inquiry into the conduct of the government with respect to Spain, and the manner in which the campaign has been conducted in Spain. If the noble lord conceived there were any papers that might render further inquiry necessary, it was within his discretion to move for their production.

Mr. Whitbread said, after what fell from an honourable general on a former evening, and what was known to be the wish of the friends of Sir John Moore, he had been induced to entertain hopes that certain parts of his dis-

patches would be published. At the same time, he agreed with the noble lord, that it might be improper they should appear in the gazette. He was happy, however, to hear from him that there would be no objection to their being produced in another form.

General Stewart stated, that *Sir John Moore*, in delivering his dispatches to him, observed that they were private and confidential; but that ministers were at liberty to publish any parts of them they might think proper.

CONSUL GENERAL IN PORTUGAL.

Lord Folkestone wished to be informed if any salary, payable by government, was annexed to the office of consul general in Portugal, accepted by a member of that house.

Mr. Secretary Canning stated, that the emoluments of the office alluded to formerly arose from the consular fees only. These fluctuated with the circumstances on which they depended. They sometimes rose to 4000*l.* a year; they were at times as low as 1500*l.* This variation had led to an inquiry, which terminated in the adoption of another mode of managing these establishments. It was determined to add to the salaries of some, and to diminish those of others, with a general restriction that the persons filling them should not be permitted to trade. Upon this plan the consul-general for Portugal was to be allowed 1500*l.* a year payable out of the consular fees, besides a fourth part of the fees exceeding that sum, as an inducement for activity in collecting them. If the fees should fall below 1500*l.* which was by no means probable, government was engaged to make up the difference.

OVERTURE FROM ERFURTH.

The order of the day for taking into consideration the papers relating to the late overture from France and Russia having been read,

Mr. Secretary Canning observed, that in proposing to the house to address to his majesty the expression of their thanks for his gracious communication of the papers on the table, their acknowledgment of their principles upon which ministers acted in the negotiation, and their resolution to support his majesty in the continuance of a war which it was found impossible to conclude upon any terms of honour and safety, he did not anticipate much difference of opinion. The question of the day he apprehended would rather be on the conduct of government, than the

principles on which that conduct was founded. Whatever might be the opinion as to the policy and prudence of that conduct, he did not apprehend that there was any individual in that house who would be found to rise in his place, and assert that, if a different line of conduct had been followed, the result would have been negotiation and peace. Ministers felt no small share of anxiety that this part of the question should be fully discussed; the house had much interest that it should be. There was no man, he believed, who would be found to contend that the overture from the enemy contained the means of negotiating with a fair chance of peace. If it should be shewn that in the management of the negotiation any fair opportunity was omitted to bring to a point the intentions of the enemy, or that occasion was eagerly sought and wantonly seized to put an end to it, such conduct, he would admit, would be a fair ground for criticism, if not of blame.

In what he should say, he would confine himself to the conduct of the negotiation, rather than to the discussion of principles, of which there appeared but one impression on the house. In the question before them there was this singularity, that if ministers had been called to account when this transaction took place, they would have to address themselves to different topics from those which would probably be brought into the discussion of that night. Any man who recollects the feelings of the country at that time must admit, that if ministers had broken off the negotiation *in limine*, nay, if they had even refused to enter into it at all, they might have done so with the perfect concurrence of the nation. The general apprehension was, lest ministers should be entrapped into a negotiation. Even among those who at all times, and under all circumstances, are found to join in the cry for peace, there was not one of these, from the highest to the lowest, who did not allow that there was no other intention in the offer of the enemy but delusion. At that time, he and ministers had the misfortune to differ from the public sentiment. They had no doubt of the intentions of the enemy; but they thought it their duty to consider, whether, in suffering an opportunity of negotiating to escape, they were not doing greater injury to the country, than any benefit that would arise from refusing to listen to offers of negotiation, however hollow and treacherous they might consider them. They felt it to be their duty to hear what the ene-

may had to propose, but to make at the same time the negotiation as short as possible. Many persons were of opinion, that ministers would have been justified in rejecting all overtures which were not prefaced by some atonement for the most outrageous violation of justice and the principles of the law of nations, of which history could furnish an example. Many thought that the evacuation of Spain, and the liberation of the royal family, should have been indispensable conditions of any negotiation. With these he would have agreed in a moral view, but he did not consider that he possessed any political right to make that demand. To have made that demand would have placed this country upon high and splendid grounds; but he did not consider it proper, for the sake of upholding its former character among nations, or adding fresh lustre to it by an act of magnanimity and disinterestedness, to neglect its real interests. They all agreed as to the enormity of the unprecedented violation of the independence of the Spanish nation; but this was no reason for refusing to negotiate. In affairs between nation and nation, where the happiness of millions is involved, morals are not to govern political expediency. He therefore could not agree with those who were of opinion that we should at the outset, have made the evacuation of Spain a condition of negotiation. It was the duty of the government to give the country and Europe a chance for peace. That could not be obtained without entering into negotiation. To satisfy the world that peace was not attainable, it was necessary to know, from the only enemy to the restoration of that blessing, upon what terms he was inclined to grant it. To have set out with demanding the evacuation of Spain, would be to take upon ourselves to negotiate for Spain. It would have been to act as a protector, not as an ally. We had no right, either in fact or substance, to arrogate to ourselves any such pretension. It would, besides, have given rise to other inconveniences: it would have given the enemy the right of making a counter-demand: it would have given to other powers with which we were formerly connected, a right to complain; to say that we had done more for a new ally than we at any time offered to do for them; and to accuse us, as a deduction from such conduct, that we had surrendered their interests, or at least not asserted them, which is the same, for the purpose of obtaining some particular advantages for ourselves.

The demand made by the British government with respect to Spain, was one of the most moderate which could possibly under such circumstances have been required; the most moderate, but at the same time the most efficacious—merely that she should be a party, that she should have leave, by her own personal representatives, to plead her own cause. What less could have been demanded? and yet he had heard it to be the opinion of many that this was an improper concession. There was no concession in the case; not that the dictation of Great Britain should be allowed; not that Ferdinand the Seventh should be proclaimed king, but that the government put forward by the universal Spanish nation should be allowed interference where her vital interests were concerned. If history were examined, no case would be found in which such acknowledgement was denied. An instance not very distant, and exactly in point, might be produced; he alluded to the separation of the Low Countries from Spain, where, after many difficulties, and various interruptions and negotiations of above half a century, Philip was compelled to acknowledge the existing government; and thus we, demanding the acknowledgement of the present *de facto* Spanish government, could not be possibly more just or conciliating; our only desire was that of permission for her to treat, not wounding any right, or interfering with any disputed point, but simply opening a way to future negotiation, and decision—But it was objected that the basis of the *uti possidetis* was granted us, and on that we might equitably treat; he would ask then by what right was Spain to be included? Whether was it more just, to admit her on the right of her own *de facto* government, or on the usurped right of France; for this he would prove was the concealed design of France in the proposal of the *uti possidetis*. We in a former negotiation however had set an example ourselves in the acknowledgement of the king of Sicily. But England was not in possession of Spain—she came as an ally, not as an ambitious and usurping tyrant. And even were we *bond fide* masters of the country—were its resources in our hands, and all its cautionary towns at our command, still he would disdain, under such circumstances, to take a base advantage, and proceed on the *uti possidetis* principle. But the design of France was very different indeed; and there was no doubt but that the *uti possidetis* had been

offered by her, that on such apparently equitable grounds she might profit by her occupation of the Spanish towns. Many, on the other hand, declared any entertainment of the proposal at all, which must have been insidious, was a mere waste of words, and that it should have been immediately rejected; but it was plain the Erfurth interview must have had some relation to Spain; and an offer which might possibly lead to an amicable issue, he did not conceive could wisely have been rejected. Indeed he, for one, had cherished what might appear to many as visionary hopes. He had fondly imagined the effect which example might have had on the Emperor of Russia—the invariable return made for kindness by the French tyrant—his constant breach of treaties, desertion of allies, degradation of sovereigns, subversion of every moral principle, and avowed hostility to every practical virtue—his defiance of established usage, sterility of grateful sentiment—his very baseness to Spain—the ever firm, dear, faithful, subservient, unsuspecting Spain, his powerful aid in the subjugation of Europe, and now his prey when that aid was unnecessary. He confessed his wonder at the apathy of the Emperor Alexander, calculating his comparatively poor assistance, was utterly inexpressible! What could be his expectation? Did he suppose the tyrant would invert his established usage, and exert towards him a forbearance which he had denied to more beneficial supporters? The opportunity was however now past, and no doubt many, calculating from the event, would entitle him chimerical; but disappointed as he had been, he did not scruple to declare, that was it again to occur, the same line of conduct, derived from the plainest principles of human nature, would be by him again pursued. Vainly would he have told the people, had he originally rejected the overtures, of the Emperor of Russia's pre-disposition to ruin: vainly would he have prophesied any man's determination to dig the abyss in which his life and fortunes were to be irrevocably gulphed. Who would have credited such a visionary supposition, or how could he on such grounds demand his exculpation from the country? But so it had happened; the probable renunciation of this (the Emperor's) rights, his sovereignty, his free-will, had been signed away; yet he (Mr. Canning) lamenting it as he did, could not surely be upbraided for not acting on such an unnatural and humiliating calculation. He was, however, parti-

cularly inclined to expect the participation of the Emperor of Russia, from his known and often manifested partiality to Spain. He did not argue on any sentimental sympathies existing between nations; but on no occasion before this had the honour or the interests of Spain been overlooked or abandoned by the Russian government. In the present circumstances, however, it was impossible that the name of Spain could have been omitted. We had proffered her our assistance. She filled a great space in the eye of Europe, and we were ostensibly connected with her, in the view of the world. But still they argued unwisely, who said that the mention of Spain was a necessary bar to future negotiation. Admitting Spain to be a party in the negotiation did not, by any means, decide upon the future probabilities; and though Buonaparte even did admit the *de facto* government diplomacy, still that did not prevent him during the negotiation from dwelling on the more valid right of his brother to the throne. This he, however, merely mentioned to shew that the Emperors must not necessarily have given a negative answer to his proposal, that the Spanish government should be admitted as a party. The contention of two governments for the same throne by no means precluded the possibility of negotiation, as in the case of the different claims of the Bourbons and Austrians to the Spanish monarchy. The admission of Spain to an interference by no means committed France to a recognition of her rights, but merely to a discussion of them. What, however, was the answer of France to this equitable proposal? Why, peremptorily refusing the participation of the Spanish people; *because they were rebels!* To whom?—Joseph Buonaparte: thereby, while he scouted our proposal of the admission of the *de facto* government, tacitly demanding our recognition of his atrocious usurpation. To this, had we not given our decided negative, we should have at one dash of our pen signed the ruin and degradation of the Spanish people—their proscription as rebels, and their punishment as traitors; but he had chosen to go still farther, and even illustrate this position by comparing the patriots of Spain to the Irish rebels. It was an illustration which he only mentioned to reprobate; but even admitting that the Irish Catholics were rebels, which he was far from doing, yet where was the parallel? The Irish rebelled against a lawful sovereign, complete in his right,

and perfect in his possession. We of course, did we negotiate after his answer, would concede the undisputed inheritance of his brother; consign the confiding Spaniards to slavery, and consent to the establishment of an usurping dynasty. It has been said, that we have differed concerning the disputed title merely between Charles and Ferdinand: supposing we even did, still we were not bound to acknowledge the government presented by the people: the only question was, which should have greater force, the edict of Buonaparte, or the almost unanimous declaration of Spain; for he would undertake to say, without fear of contradiction, that out of the numerous provinces of that country, not more than three were adverse to the claim of Ferdinand. Far was he from acceding to the fantastical opinions of some, who reprobated the exertions of Spain, because not made for what they chose to denominate the total emancipation of the country, but exerted in defence of their regularly succeeding monarch; those were the French revolutionary doctrines, wild in their speculation, and dreadful in their consequences. But taking the principle in its best light, unjust indeed would it be in us, because more progressively advanced in wisdom, to misjudge the well meant exertions of others who may be behind hand in the refinement of their ideas. Unjust would it be for us not to support such exertion, but rather, taking advantage of their misfortunes, to model them as an experiment! But on our requiring the admission of Spain to negotiate, we only did it for her *de facto* government; and if, on the refusal of that admission, we had proceeded to any further conference, then we would have deserved the taunts of every honest man, and contempt of every free nation. But the insincerity of Buonaparte was plain in the progress of his communications: for even before he could have received our first answer to his first communication, he announced to his senate his determination to pursue those views which it was our evident policy and declared design to prevent. On the 22d of the month, we received his letter; and on the 25th he made his mind known to the senate. It was, however, stated broadly by some, that we should have known well the inflexibility of the enemy, and the "*sinking state* of ourselves." "Now, sir," said Mr. C. "as I have heard that those in a ship cannot perceive her motion, so perhaps those in a *sinking country* cannot be sensible of

their progressive degradation. But I will venture to say, such opinion is but the visionary chimæra of a mind brooding in the silence of solitude, and which, when promulgated in society, is uncheered by one friendly voice—uncherished by one discontented spirit. But if it be true—if we are to perish, I do trust that when stripping to struggle with the adverse waves, we will not cast away those qualities which ennoble and dignify our nature; that even in the agonies of death we will cling to our national integrity." It was, he said, utterly impossible that we could ever have abandoned Spain, however opposite our opinions might be as to the conduct of the campaign—as to the degree of aid to be rendered; still every voice was unanimous in its approbation of our principle. By our conduct, in this instance, we could and did falsify that cry, dared to be raised by the enemy on the continent, that we were an incendiary nation, inflaming peaceable countries to war, and then, when they fell a prey to our destructive advice, sharing in their plunder. Plain it was, that in the outset we might not only have remained neuter, but have even rejoiced at the calamity of her whom we might have considered as our enemy; but such conduct would have been revolting to every feeling of our heart, and we adopted the reverse, and having done so, we will adhere to it. Never can a free people admit the claim of an usurper, and, so doing, consign their allies to a foreign dynasty, and immediate execution. In these enlightened times, however, it is strange what a predisposition there is in the minds of some refiners of foreign aggression, as if there was something unpalatable in the internal structure of their own domestic constitution: but surely this unnatural idea is confined to a few; there is a charm which binds us to our accustomed institutions—an unreasoning and instinctive feeling, connected with the soil of our birth, and the scenes of our infancy, which the shocks of war cannot overcome, the fury of innovation extinguish, and which will even triumph 'mid the despair of conquest.

"Græcia capta ferum victorem cepit!"

This was the ardour which inflamed Spain; and although she may be less refined than us in her exertions or objects, still, when we consider the principle, our praise cannot be less: but these were abstract considerations, which, however connected with it, he would wish to separate from the main question; he would wish the house

to come, unbiassed and dispassionate, to the consideration of the overtures, and the treatment they experienced, and he had little concern as to the result of the investigation. Mr. Canning concluded a most brilliant speech, by moving that an address of thanks should be presented to his majesty, for his gracious communication of the papers on the table.

Mr. Whitbread, while he acknowledged the eloquence of the right honourable gentleman, was happy also to give him his thanks for some axioms not very usual to hear from that side of the house—axioms which, had they been always attended to, would have prevented us from now deploring the balance of Europe upset, the house of Bourbon overthrown, and our own national decay. He had heard that a government representing the people ought to be attended to: that surely must have been imbibed with the honourable secretary's *new morality* principles; for he well remembered a time when such an assertion was by him reprobated and ridiculed, and the rejection of which hurried England into a war, which has left her to be the scorn, instead of the arbitress of Europe! He could not, however, agree that we ought not to treat after Buonaparte's answer, because he considered that answer provoked by the taunts and sneers of the honourable gentleman, and by the arrogance of the government to which he belonged. Governments were too apt to attribute to themselves every virtue, and to their adversaries every vice. It was somewhat extraordinary, however, that the honourable gentleman, after having himself discarded the *old morality*, should presume to say that the French emperor's atrocity was unparalleled! What! was this a justifiable assertion from the author of the atrocious, unprincipled, and dastardly attack upon Denmark? [*Hear! hear!*] It really carried an air of ridicule along with it, to Buonaparte not less, however, than did another assertion carry of insult to the emperor of Russia. What must *he* have thought when the denunciations were perused by him against the violator of the Spanish throne—*he*, who must have remembered well how Catherine, *called* the Great, and Frederick, *called* the Great, and the emperor of Austria, dismembered Poland, and dethroned the king? Why should we talk of atrocity? Why should *we*, blasphemously call on our God—*we*, the ravagers of India—*we*, who in the very last session,

voted the solemn thanks of the house to the despoiler of that unhappy persecuted country. Oh!—" *When we say that we have no sin, we deceive ourselves, and the truth is not in us.*" Far was he from justifying such vaunts and such reproaches, and ill would he perform his duty to his country, did he not rise to open the eyes of these infatuated people, and shew them the comparative insignificance of England among the nations.

If he were then to be asked whether he wished to truckle to France, and surrender the honour of the country, he should reply, that no man would be farther from entertaining such an idea than himself. If we wished, however, to preserve the honour of the country, we must abstain from doing deeds of dishonour. After what we have ourselves done in the east and in the north, we had no right to say the conduct of Buonaparte was atrocious beyond all parallel. There have been many instances of atrocities fully as bad. Spain had in former times committed great atrocities in the western world; and we had not only committed great atrocities in the east, but even in very recent times we had committed an atrocity towards Spain herself, equal to almost any thing which had been done by Buonaparte. He could not help finding great fault with the declaration published by the right honourable gentleman, for stating to the world a thing that was not the fact. It was not true that Buonaparte required of us, in his first communication, the abandonment of Spain as a preliminary. This was stated by him after he had received the communication from our government. The first communication which came from the enemy was, in his opinion, perfectly unexceptionable in its manner and style. He could not conceive any thing more respectful than the note of Count Romanzoff. The right honourable gentleman had before refused the offer of the mediation of Russia, on two grounds: first, he had required that a specified basis should be stated upon which the negotiation was to be founded; and secondly, he positively refused to send another plenipotentiary to Paris. In the present overture, both those objections were removed; for Count Romanzoff did send as a specific basis, the *statu quo*, or any other basis that ministers should prefer; and as to the place of negotiation, it was left entirely to his majesty to send his plenipotentiaries to any town he should choose on the continent of Europe, where the Em-

perors of France and Russia also engaged to send their plenipotentiaries. The right honourable gentleman had no right then to treat the Emperor of Russia with that severity which he had done in his answer. If the Emperor of Russia was in a degraded situation, the right honourable gentleman should have considered what were the causes which had forced him to that state of degradation. He should have considered that act of the present government against Denmark, which had given the most just and serious grounds of offence to Russia. The form of the communication which was now in consideration, was certainly not usual till very lately; but there were two instances before, when unfortunately, direct proposals of peace made by Buonaparte to the king, had been made in vain. Every body remembered, and almost every body now deeply regretted, the manner in which the first overture of that nature had been rejected. However highly he respected the noble lord (Lord Grenville) who was then the secretary of foreign affairs, his opinion of that transaction remained the same now as it was at that time. Experience, and the evidence of facts, were then the burden of the song. Heavy indeed was the song, and he feared it was a knell which sounded the doom of the country. He could see nothing at all disrespectful in the letter of the two emperors. There was indeed a sentence somewhat perplexed, one which the right honourable gentleman appeared to have entirely misunderstood, respecting maritime commerce. This sentence, however, afforded no pretence to justify a studied insult to either of the emperors. The right honourable gentleman was not bound to have gone out of his way to let the Emperor Alexander know, that there would have been an answer to his letter, if his name had not been joined with that of Buonaparte, who had not been acknowledged as emperor by this country. This country had, however, at the treaty of Amiens, recognized him as chief of the French nation, and first consul; and the change of his title could not make any essential difference or objection to treating with him. Whenever we think proper to negotiate with a man, who from his great successes, as well as his power, has some right to be delicate about the point of honour, we ought not to begin by any thing like insult. He thought, indeed, that the right honourable gentleman should be more careful in the composition

of his state papers, and that he should abstain altogether from indulging that sarcastic vein which so much amused his friends in that house, and which he conceived to be so successful in opposing his political antagonists. In his state paper he might, when speaking of the basis of the *uti possidetis*, have abstained from that parenthesis of its having been so much the subject of discussion formerly. In the note of the right honourable secretary, it was stated, that "the king had often professed his sincere desire for peace." It was certainly true that this sentiment was often expressed in the language ministers thought proper to put into the mouth of his majesty; but he could have wished to have seen conduct corresponding to those professions; and in that case, he believed that the country would have had a secure peace a long time ago. He remembered, that upon the failure of two attempts to negotiate, it had been formerly stated in that house by a minister (Lord Melville), that "the country had had a lucky escape from a peace." He firmly believed that there hardly ever was a time when the gentlemen on the other side of the house had any sincere wish for peace. He did not pretend to say that the overture of Erfurth could have been received in any manner that could immediately have led to peace; but still the negotiation might have been so managed as not to increase the hostility or rancour between the two governments.

As to the second paragraph in the note of the right honourable gentleman, that his majesty could not see without unqualified sorrow the sufferings of the continent from the interruption of maritime commerce; this was a sentiment which appeared to him altogether improper to put in the mouth of a benevolent king, nor was it a language fit for a christian country to hold to the christian world. It appeared to him to be indecorous and improper in every point of view. Why should the right honourable gentleman say he rejoiced at commercial evils being retorted upon our enemies and their instruments, unless it could appear that our enemy was thereby humbled or weakened? That, however, did not appear to be in any degree the case; his power was by no means diminished; and so far from the insurrections which were predicted in the south of France, there did not appear to be either insurrection or murmur throughout the whole empire of Buonaparte. He particularly objected to that paragraph which he had

before stated to be contrary to the fact, and he should now ask some of the right honourable gentlemen opposite to him, who had been parties to the making the treaty of Amiens, afterwards to the breaking that treaty, whether the present war did not begin with a falsehood, which was put into the mouth of his majesty, in the celebrated royal message of the 8th of March, which called upon this country to arm in consequence of great armaments in the ports of France and Holland. He should ask those gentlemen, was not that statement a falsehood? [*No, no, from some members.*] He thought it had been universally admitted now that that statement was untrue. Was it not well known that it was for Malta we went to war? [*No, no, from some members.*] At least, it was generally allowed, that if France had given up the point about Malta, there would have been no war. He disapproved, above all things, of false statements being inserted in the state papers; and he felt firmly convinced that if the overtures made to us in 1800, 1805, 1806, and 1808, had been met by a sincere desire for peace in this country, a secure peace might have been made and maintained. It appeared to him strange, that Spain should have been mentioned by us to the enemy, and that Portugal and Sicily should not have been mentioned; and yet before the English landed in Portugal, the Portuguese had rescued a considerable part of their country from the enemy; and before the prince regent left Portugal, he expressly renewed all the treaties with England, and appointed a regency. It would appear that the regency of Portugal acting in his name was as necessary a party to this negotiation as Spain herself. He would allow, indeed, that it would be wasting too much time, to delay a negotiation until we could consult our ally the king of Sweden. That ally lived at too great a distance; and his alliance, for which we paid him 100,000*l.* per month, was of so little service to our cause, that many wished he would make his peace with his enemies. As to Spain, he had already declared his opinion, that the engagements which his majesty had entered into with the people of that country, were such that their interests could not have been abandoned, nor was there a single Spaniard who would at that time have consented to any peace which had not secured the independence and integrity of Spain, and restored them their beloved king Ferdinand. The Spa-

niards were then animated by the glorious principle of resistance to any invader or usurper, be he who he might. They were not however insensible of the amelioration that was necessary in their country, or of the mischiefs which had been done by their former bad government. This was a subject which had been taken notice of in all the proclamations of the different juntas. In his opinion, the mode in which the negotiation ought to have been managed on the part of this country was, that the independence of Spain should have been the first condition of a peace, but that it should not have been insisted on as a preliminary. Buonaparte did not propose the abandonment of Spain as a preliminary; it was the right hon. gentleman who made the admission of the Spanish nation as parties, a preliminary to all negotiation. It was not till after his first communication had been answered in an insulting tone that he used insulting expressions. He thought it was always wrong to use insulting language towards Buonaparte; for after all, if ever we wished for peace at all, it was probably with this man that we must make it, and the price of peace would be at least for us to use something like decorous language to a power, which is perhaps the greatest which exists, or which ever did exist, on the face of the world. As to pledging ourselves to any point as a *sine qua non*, he could not avoid remembering how many of those *sine qua non*s the British government had been obliged to abandon since the first commencement of the war. He could not conceive that peace was so dangerous as some gentlemen supposed. Buonaparte had got almost the whole of Europe by war, and he did not see how he could have done more, or so much, in peace. The right honourable gentleman, in the declaration of his majesty, stated the situation of different powers in Europe, but he appeared to forget how very small a part of Europe this country had any influence over.

The last note of the French emperor was certainly couched in terms which were insulting to the country; but then he had not expressed himself in such terms, until he was irritated by the letter of the right hon. gentleman. With respect to the manner in which he mentioned the Irish catholics, he must observe, that the right hon. gentleman, or rather his colleagues, would do well to take one lesson from the French emperor. He seemed to shew a perfect knowledge of the weak parts of our empire, and of the weak-

ness of our government. As to the right honourable gentleman (Mr. Canning) he indeed was well known to be disposed to heal the sore part of the country, and to pluck out that thorn in its flesh which causes such irritation. The right hon. gentleman had denied the assertion, that the catholics of Ireland were insurgents; but it must be recollected that such language had formerly been held, and that a man who speaking of the affairs of Ireland, said that catholic and rebel were almost synonymous terms, was afterwards actually appointed, and is now a privy councillor to the king. He knew that in the observations he had felt it his duty to offer upon this subject, he had laid himself open to many misrepresentations, and he believed he stood in a very small minority in that house, and perhaps in the country; but that consideration only made it necessary for him to endeavour to explain his sentiments as clearly as it was in his power. He did not consider that the government had been wrong in rejecting former overtures, and he lamented extremely the abrupt termination of the late negotiation. As to our repugnance to making peace with France, he must say "to that complexion we must come at last." Sooner or later we must treat with France, and greater and greater sacrifices are demanded from us the longer it was delayed.

For his part, he feared that the Spanish spirit had been calculated too highly; but whatever it once was, if it should appear that it was now subdued or extinct, and that the cause of Spain was hopeless, he should be sorry to pledge himself to make a *stip quo non* of the independence of Spain. He could not avoid availing himself of this opportunity to speak his opinion upon this important point, for events now follow with such rapidity, that if he was to lose the present opportunity, it was possible that he might not find another. As to the recapture of Madrid, that bubble was now burst. Barcelona had been relieved. The prophecies of Buonaparte had been in a great measure realized. The British armies had been expelled from Spain, and there appeared nothing to prevent his executing the threat of placing his eagles on the forts of Lisbon. If there was no probability of reviving the spirit of Spain, he could not consent to send more British armies or treasure to Spain without any probable chance of success. He concluded by moving a long amendment which he hoped at least

would be recorded on the journals of the house. The substance of the amendment was,

“That the house did not see in the letter addressed to his majesty that any disgraceful concession was demanded; and that requiring as a preliminary article, the acknowledgment of the Spanish nation as parties in the treaty, was unwise and unnecessary; and that the language of the note addressed to foreign powers, should be in a more conciliatory tone.” It concluded by humbly requesting his majesty to avail himself of the first fair opportunity of concluding peace.

Mr. Ponsonby said that it was impossible, from the great respect he bore his hon. friend, that he could differ from him, as he did on the present occasion, without assigning his reasons for so doing. Although he seldom approved of the conduct of his majesty's ministers, yet he thought they were right upon this occasion to come to an immediate understanding of the views of those powers which proposed peace. He was convinced, that no tone, however moderate, could have procured the country a peace consistent with its honour; but still, he disapproved extremely of using that stile in diplomatic correspondence, which seemed much more like the language that was often used in that house, against political adversaries, than like the calm and dignified language which became a great nation negotiating about the restoration of peace to the world. The question in Spain was not to be decided by negotiation, but merely by the force of arms, for Buonaparte had pledged himself as strongly to his own senate, and to France, that he would place the crown of Spain on the head of his brother, as this country could be pledged to assist Spain. He could not be expected immediately to abandon the pledge he had so openly and so recently given, neither could this country abandon Spain, without at the same time abandoning her honour and her best interests.

Mr. Croker said he was astonished to hear such arguments as those which had been used by the hon. gentleman who spoke last but one (*Mr. Whitbread*). If he had found a parallel for the French atrocities in any proceedings of this country, which he did not think was possible, he believed the hon. gentleman would find it difficult in the annals of the British legislature to find a parallel to his own speech. He had owned, he expected to be in a very small minority,

and in his opinion, the honourable gentleman ought to be so; for if the house should agree to his amendment, they would shew themselves not only the "sinking nation" he had described, but absolutely sunken to such a degree as he hoped never would be the case of this great and powerful country. He then went into a long defence of the conduct of ministers, particularly with regard to the negotiation, and said they had acted most wisely in getting rid of it in the speediest manner possible. He spoke with some warmth on Mr. Whitbread's observations respecting the Roman catholics of Ireland. He said Buonaparte, in his declaration about them, meant nothing further than merely to exasperate one party against another. The catholics of Ireland had, he understood, lately been in the habit of denying what their friends in that house advanced in their behalf. (*A cry of No, no.*) He had heard so; but if it were otherwise he hoped they would disclaim that hon. gentleman as their advocate. He was sure at all events, that it was a foul and scandalous calumny of Buonaparte; and he hoped that no gentleman in the house would be so weak as to think of building an argument on it in favour of catholic emancipation.

The Hon. Mr. Matthew spoke very warmly in favour of the Roman catholics of Ireland. He alluded to the proceedings in Ireland in the year 1798, and said there never had been any tyranny carried to a higher pitch than under the British government, when headed by lord Camden, assisted by the noble lord opposite to him (lord Castle-reagh): they first provoked the people to resistance and then murdered them. (*A general cry of Order, Order.*)

The Speaker said, he thought it his duty to ask the hon. member if he thought what he was then saying was at all applicable to the question before the house.

General Matthew answered that others had spoken about the Roman catholics of Ireland, and he had an equal right to do the same, unless one side of the house was to be indulged in speaking on the subject, and not the other. [Here was a general cry of *Order, order! Chair, chair.*]

The Speaker said, that after what he had before observed, it was for the house to determine how far the honourable member was right or otherwise.

Sir F. Burdett said, he had never yet delivered his sentiments on this subject; and as he had not formed the sanguine hopes on the state of our connexion with Spain,

which he understood many persons had done, he could not suffer the present question to go to a vote, without delivering his opinion on it. He had at all times the greatest deference for the Speaker's judgment, but he submitted to his consideration, whether on a question of addresses, which he had always looked upon as a general subject, honourable gentlemen were not entitled to give their opinions, and deliver their sentiments on every point that was in any way connected with the question, or materially concerned the welfare and interests of the country. His honourable friend had therefore, he conceived, a right to speak on the subject of the Catholics of Ireland, as they had been particularly mentioned and alluded to by Buonaparte. He perfectly coincided in opinion with his honourable friend who moved the amendment on this motion for an address, and would with him think it right to listen to truth even in an enemy. For whatever might be the general opinion entertained by honourable members on either side of the house, as to Buonaparte's merits, he believed it must on all hands be agreed, that he knew perfectly well how to accomplish the aims and ends he had in view, and as he had chosen to give a taunt on the affairs of Ireland, it was evident he had done so because he thought the Roman Catholics believed themselves to be hardly dealt with by this government; and he would so far take a hint from him as to advise his majesty's ministers to lose no time in endeavouring to remove those anxieties and animosities which unfortunately existed, before it should be too late. Having made these observations, he should beg to say a few words on the subject of the motion then before the house. For his own part, from the first mention of the application of the Spaniards to this country for assistance, he could never place any reliance on Spanish patriotism. He could not think it was a plant that could ever thrive in such a soil as Spain, which had for such a length of time groaned under the weight and grasp of the severest despotism, headed by that most dreadful and intolerable of all monsters—that disgrace to humanity, and terror of mankind—the Inquisition. He never could for a moment suppose, that a people so sunk in indolence as the great mass of the Spanish nation had been, and bowed down by the arbitrary mandates of one of the most despotic governments in Europe for more than a century, could all at once become so sensible of the ardour

of patriotism as to enable them to make a stand against the French, headed by one of the ablest and greatest generals the world had ever known. He could not, therefore, ever indulge the hope of reaching that fool's paradise, with the attainment of which the people of this country had for the last fifteen years been pleased to flatter themselves. He was sorry to observe this self-delusion continued still so prevalent; but he hoped yet, that we were not such as the wise man had described, "that if pounded in a mortar, yet would not foolishness depart from us." Ministers had from time to time held out various boasts that we were on the point of arriving at the goal of success, but they had all vanished into air. If the question were, whether it would not be desirable to cut off Spain from France as a political measure, no question could be held out that would be more easily, or more unanimously decided: but the unfortunate despotism which had so long prevailed in Spain, made this impossible; and the people of that country felt too severely its effects to be animated with that kind of spirit, without which such an attempt must be preposterous. The right honourable gentleman (Mr. Canning) had, to serve his own purpose that night, used the patriotic axiom, "that no people ought to have a government forced on them but what they chose for themselves." If this had been attended to by ministers at the commencement of the French revolution, we should not have been at war at this moment. He wished, however, if ministers did not think proper to take hints from Buonaparte, that they would endeavour to derive advantage from his magnanimity. He understood there were bulletins newly arrived from France, and in possession of ministers, in which Buonaparte had evinced a great degree of respect and admiration of the behaviour and conduct of our brave troops, and particularly of the gallant general who had so recently fallen, and whose loss we had so heavily to deplore. He was, however, much afraid that the present ministers were such as were by no means fitted to bring the country with honour out of its present difficulties. He thought they had taken upon them a most extensive and tremendous responsibility. If the presumed patriotism of the Spaniards had been listened to, taken up, and acted on upon right grounds, he did not know any punishment that could be too severe for them. It was their duty to consider

well whether they should be able to take possession of Spain ; to send 300,000 men thither to gain possession of the country, and to fortify the passes. If our brave soldiers had been sent even in such numbers as to enable them to have gloriously fallen in the field, and not the victims of disease and misery, it would have been some small matter of consolation, though perhaps not of excuse ; but to send an army in such numbers, and under such circumstances, that with the assistance of the Spaniards, they could not drive the French from Spain, when they did not amount to more than 40,000 men ; the present ministers were neither fit to go on with the management of the affairs of the country in war or peace. They had grafted the success, the character and the honour of England on that rotten plank, despotism and the inquisition ; and unless we could again establish that government in Spain, our efforts were fruitless, and we must give it up. With respect to sending money to the Spaniards, instead of doing so from the pockets of the people of this country, they should have restored those millions which had been taken as droits of the Admiralty, by the shameful capture of the Spanish frigates, without any declaration of war, and by that means put into his majesty's private purse.

He felt himself obliged to his honourable friend for having moved the amendment to the address, but he should have been more pleased, if, instead of that amendment, he had at once boldly brought forward a remonstrance to his majesty, stating the inadequacy of the present ministers to fill the important stations in which they had been placed, and he would have seconded it with infinitely more satisfaction. He was now called on for an address of thanks, when he had no thanks to give. He should rather wish to see those removed from his majesty's councils who had kept the truth from his royal ears, and filled them with fables which had operated as a "leprous distilment" on the honour and interests of the empire. Of all those dethroned monarchs with whose fate modern history was so replete, there was not one of them who had not fallen a sacrifice to a concealment of the truth from them, respecting their most important and vital interests. They have all been betrayed, and frequently deserted by time-serving courtiers and adulating sycophants, and happy would it be if their fate should be a warning to others. The right honourable secretary

(Mr. Canning), had said he did not think this empire was sinking. The right honourable gentleman might, perhaps, himself be rising, but he could assure him his country was sinking very fast and very deep; yet, strange it was to behold, but things were represented totally different to what they really are; and we now, without surprise, hear the mere entrance into a country termed conquest, and retreat represented as victory. With these impressions in his mind, he heartily concurred in the amendment proposed by his honourable friend; but would much rather it had been a remonstrance.

Mr. J. C. Beresford spoke at some length in favour of the conduct of ministers, and thought they had acted right in as speedily as possible getting rid of the negotiation. England's only danger would be a peace with France; for such an event would only be a virtual surrender of England. France could never injure us without a superior navy; and that without a fallacious peace she never could obtain. He should therefore vote for the address.

Lord Porchester disapproved of the amendment, particularly the latter part, which so emphatically required his majesty to avail himself of any return of opportunities for a negotiation of peace. He thought peace desirable, but unless we wished to repeat that act of political imbecility, the peace of Amiens, we should not appear too anxious for that event. As long as Spain could maintain the present contest, we could not, he thought, honourably withdraw our assistance. He should therefore vote for the address.

Lord Henry Petty said, it was unnecessary for him to trouble the house with many observations, because it was clear the alarm had taken place in the country since the successful escape of our army. He must, however, shortly say on what ground he felt it his duty not to concur in the amendment of his honourable friend, with whom he generally agreed on political questions. He was convinced, from experience of the conduct of Buonaparte, that the overtures made at the time they were, could not be accepted without an abandonment of Spain; for if it had been entered upon, it would have induced the Spaniards to suspect our sincerity in their cause, and Buonaparte would have used it as an argument to foment that suspicion. This country had a character to gain with

respect to Spain, and it was therefore necessary we should convince the Spaniards we did not carry on the war for our own selfish interests. He thought, therefore, the overtures for negotiation should be as speedily rejected as possible. He could not, however, approve the language in which they had been done; for the retort used by the right honourable secretary must by the two emperors be taken as matter of insult; and, as the right honourable secretary had allowed the overture was not liable to exception, his lordship saw no reason why it should not have been met on equal terms of conciliation. If the latter part of the address meant that we should continue at war in the same way it had been carried on for the last six months, he should protest against it. He was not surprised the state of the country should have urged the honourable baronet to describe, in a speech of great eloquence, the alarm which he conceived, and he concurred with him in those sentiments which he had so forcibly expressed.

Mr. Canning expressed great surprise that the noble lord should have adopted, in the unqualified manner he had done, the opinions of the honourable baronet with respect to the situation of the country, which he had stated as very alarming, and that it was an establishment scarce worth saving (*a general cry of no! no! no!*). With respect to the honourable baronet, he did not mean to speak of him disrespectfully, but he could wish he would employ his great talents on points more suited, and less hostile to the honour and welfare of the country, than that of depreciating its institutions and resources; and that pointing out a general mismanagement of the affairs of the country, without particularising any one, was a very wrong mode of adverting to its concerns. He answered at length all the arguments of the several speakers.

Sir Francis Burdett said, the right honourable secretary had accused him of holding a language hostile to the interests of the country. He appealed to the chair, and to the recollection of the house, if any thing that had fallen from him had such a tendency. If any such sentiment had escaped him, it was foreign from his heart, for he had the highest value for the country and its constitution, and he should be sorry any such misrepresentation of his arguments should go out of the walls of that house.

DISTILLATION.

The Chancellor of the Exchequer, agreeably to his notice, rose to move for a committee to enquire into the expediency of further suspending the distillery from grain, in favour of that from sugar. He held it expedient thus early to bring forward his motion, as the bill in existence would expire in forty days from the commencement of this session, and as it was not improbable there might be some difference of opinion on a measure involving so many different interests, he wished to bring it forward in time, to allow opportunity for ample discussion. It was necessary, at the same time, to apprize the house, that he contemplated a material alteration in the bill he proposed to introduce from that of the last year, founded upon the experience of its operation. It was found, for instance, in England and Scotland, that the sugar distillery went on well, and had the co-operation and approval of the persons concerned in the home distillery; and had beside, the good effect of keeping corn at a moderate price, by abstaining from the consumption of that article. In Ireland, however, the case was quite different. There the sugar distillery had scarcely any success; and while the fair trader was precluded from the use of corn, the consumption was greater than ever, by means of the clandestine and illicit stills, to the great injury of the fair distiller, and of the revenue. At the same time, it was found that such was the produce of the present corn harvest in Ireland, and in an especial degree so abundant beyond all former example was that crop more immediately important to the sustenance of the lower orders of the people, potatoes, that no ill consequence whatever was felt in the price of provisions. It was his purpose, therefore, to revive the prohibition of the corn distillery in Great Britain, but to leave it free in Ireland. But at the same time it would be absolutely necessary to accompany this measure with a prohibition of the conveyance of spirits between Ireland and Great Britain. It was true the articles of the union provided for a free intercourse of all commercial articles between the two countries, the produce of each, upon terms of equality; but it was found that the drawbacks upon spirits between both, were founded on erroneous principles. The rate of drawback chargeable on the Irish distiller was settled by the union; but yet he was ena-

bled to underseil the English distiller in his own market, an advantage ruinous to the latter: while, on the contrary, the Scotch distiller was, under the same system, enabled to export his goods to Ireland, on terms expressly injurious to the Irish distiller. It was, therefore, another object of his intention to prohibit the exportation of spirits from Scotland to Ireland.

These were the outlines of his plan, and he did not mean to press it against any general sentiments of the house, but in all events, not without allowing opportunity for the fullest discussion of the gentlemen of both countries. He concluded by moving the committee, into which the house resolved, and after a short deliberation, determined that such a bill was expedient.—Adjourned.

HOUSE OF LORDS.

WEDNESDAY, FEBRUARY 1.

Earl Grovesnor gave notice, that on Tuesday next, he would move, that the house should resolve itself into a committee, to consider of the state of the nation.

Lord Buckinghamshire gave notice, that on Friday he would submit to the house a motion relative to the state of affairs in Portugal.

The Earl of Liverpool wished to know whether the motion related to the convention of Cintra, or the state of Portugal in general. If to the former, he wished to remind the noble lord, that the papers respecting that subject were already ordered to be laid before the house; if to the latter, he could only say, that none could feel more interested on that point than his majesty's ministers.

Lord Buckinghamshire replied, that his motion would go to the general situation of Portugal.

The Earl of Liverpool rejoined, that his majesty's ministers were desirous of affording to the house the most ample information respecting the conduct of the war in Portugal and Spain.

Lord Erskine, after some observations on the heavy loss of men which the country had sustained from the expedition to Spain, read over a series of motions for returns of the effective strength of the different regiments on their departure, and on their arrival again in England. On the suggestion, however, of the Earl of Liverpool, his lordship postponed taking the sense of the house till Friday.

The Duke of Norfolk repeated a question which he had put on a former day with regard to the treaty with Spain.

The Earl of Liverpool, in answer, said that the treaty would be laid before parliament, the instant the ratifications were exchanged. Nothing bad, in his opinion, occurred to occasion any change in its stipulations, or in the exertions which it was our duty to make in aiding Spain in her struggle with the common enemy. He could not pretend to say when the ratification, on the part of Spain, would be in the possession of ministers; but a long period could not elapse, as the treaty was signed about a fortnight ago.

HOUSE OF COMMONS.

WEDNESDAY, FEBRUARY 1.

THANKS TO THE BRITISH OFFICERS WHO SERVED IN PORTUGAL.

The Speaker rose, and addressed himself to Brigadier-General Fane, in his place, nearly as follows:—

“Brigadier-General Fane,—When the late expedition was sent by his majesty to Portugal, it was your fortune to hold therein a distinguished command in the army which repeatedly gave battle to the French troops opposed to them. The result could not be doubtful; their exertions were crowned with glory in the battles of Obidos and Vimiera, which, so long as they are remembered, and long they will be, will be remembered with pride, to the honour of their country. Your heart may glow with exultation, that you have not drawn your sword in vain; and although the gallant officer who joined his exertions with yours, and fought by your side, and under your appointment, on these occasions, has been, by the fate of war, swept away, and is now beyond the reach of our thanks, yet the name of General Anstruther, and the recollection of his gallant services, will ever remain in the sad remembrance of his grateful country. I am now, Sir, to obey the instructions of this house, in expressing to you its approbation and thanks for the gallant services you have rendered, and in the name of the commons of the United Kingdom of Great Britain and Ireland, I thank you for those gallant services.”

General Fane said he felt himself unable to express in adequate language, the high sense he entertained of the honour conferred upon him on this occasion, by the house of commons. He hoped, however, the house would do him the justice to believe that he felt it as he ought.

The Speaker next addressed himself to Lieutenant-general M'Kenzie Frazer:—

“ Lieutenant-general M'Kenzie Frazer,—The deep sorrow which this country has felt for the loss of General Sir John Moore, is mitigated in some degree, by the recollection that this country still possesses many gallant officers who have fought under his command, and formed themselves under his auspices, and will be proved on occasions to emulate his glory.—(*Hear! hear! hear!*) On that list, sir, your name bears just and eminent distinction; and the house is sensible of your ardent services on the glorious day of the battle of Corunna, where a British force opposed to an enemy much superior in numbers, covered itself with glory. I am, therefore, in the name of the commons of the United Kingdom, to return you thanks for your gallant conduct.”

General Frazer, in a few but forcible words, expressed the high sense he felt of the honour conferred on him by the house, as well as of the handsome manner in which it was communicated to him by the Speaker.

The Speaker then addressing Sir Samuel Hood, said,

“ Sir Samuel Hood,—The various and brilliant services you have rendered to your country in the long and splendid career of glory that has so eminently distinguished your name, have several times obtained for you the cordial thanks of this house. Your late eminent services at Corunna, in the prompt and effectual assistance rendered by you for the complete embarkation of his majesty's troops, have been considered by this house fully to entitle you to a repetition of their thanks, as a just tribute of their applause. I now, therefore, in the name of the commons, &c. thank you for your eminent services on that occasion.”

Sir S. Hood.—“ I beg leave to return my sincere thanks for the honour now done me by the house of commons, and it affords me the highest satisfaction, if, in doing that which was only my duty to my sovereign and to my country, I have obtained the approbation of this house. I hope the house will give me credit for a due sense of its favor, and that you, sir, will accept my thanks for the

handsome manner in which you have communicated to me the thanks of the house."

THE COMMANDER IN CHIEF.

On the motion of Mr. Wardle, the house resolved into a committee, to inquire into the conduct of his Royal Highness the Duke of York, touching the disposal of commissions in the army,—Mr. Wharton in the chair.

Mr. Wardle, in proceeding to the investigation he proposed, felt it necessary to call the attention of the committee to a few preliminary observations. He hoped that in the statements he had already made to the house, he had not uttered a single word which could justify a suspicion that he was actuated either by party motives, or any thing like personal animosity towards the commander-in-chief. He trusted his conduct on the occasion had been open and candid. When first he proposed this investigation he had offered an entire list of all the witnesses. He had never kept any thing a secret from the house, and God forbid he should attempt to sustain his charges by any proofs but such as it became a man of honour to offer. He felt it necessary, however, to advert to some strong remarks which had fallen from a right honourable gentleman (Mr. Yorke) on a former night, which were not relevant to the subject before the house, and which, he thought, might better have been omitted. He had a right to appear in his place as a member of parliament, the accuser of the commander-in-chief; and it was the privilege of gentlemen on the other side of the house candidly to deliver their opinions on the subject: but he did not expect to be attacked in his personal character, or his conduct imputed to private motives, without any foundation in justice. Much was said about the licentiousness of the press, the spirit of jacobinism, and of a conspiracy to overturn the illustrious house of Brunswick. Nothing, however, which he had said had any thing to do with the licentiousness of the press. There was no man within or without that house who abhorred jacobin principles more than himself, unless by jacobin was meant an enemy to corruption, for such he was, whether it existed in great or little men; and as to conspiracy against the house of Brunswick, if any man presumed to charge such a motive to him, it was the duty of that man openly and manfully to follow up his accusa-

tion by proofs. As to jacobinism indeed, if his principles had tended that way, he should have adopted a contrary conduct; and, instead of opposing, had cherished corruption, until it undermined the government. His object, on the contrary, was to check corruption, to serve his country, and to prevent in time those dreadful effects which are the certain consequences of corruption. A right honourable gentleman had said on the former night, that he could give no credit to the charges against the commander-in-chief, because he had been so intimately acquainted with him for twenty years, that had any such transactions taken place, he must have known of them; but, as he knew of none such, the charges must in consequence be false. He would, however, undertake to prove the existence not merely of those comparatively slight transactions under investigation, but of others to a most enormous amount, which, most probably, were unknown to the right honourable gentleman, and which were the cause of the breach between Mrs. Clarke and his Royal Highness. He was aware of the difficulties opposed to him in such a pursuit. He was aware there were many members in that house, who might be supposed to lean more toward the commander-in-chief than towards a private individual like himself. [*Order, order, order!*] He was confident no member of that house would be actuated by motives of partiality in this case. [*Hear, hear, hear!*] He threw himself upon the honour, the candour, and indulgence of the committee, and without trespassing further on their attention, would proceed to evidence.

Mr. Yorke said, as the honourable gentleman had alluded to some words which had fallen from him on a former night, he must beg leave to explain. So far from casting any censure on the honourable gentleman, or imputing to him any hostile motives towards the Duke of York, he said his Royal Highness must feel obliged to him for putting the rumours, long industriously propagated on this subject, into a tangible shape. What he had said about jacobinism and licentiousness of the press, had no relation at all to the honourable gentleman, but applied to other topics, which must have been passing at the moment in every man's mind who heard him, and not to what fell from the honourable gentleman.

Mr. Wardle then read an extract from the *London Gazette*, of the 30th July, 1805, announcing the promotion

of Colonel Brooke, from the 56th regiment to the 5th dragoon guards, vice Lieutenant-colonel Knight, exchanged, and said he gave this as competent proof of the exchange.

The first witness called was Dr. Andrew Thynne; and he was first examined upon questions suggested by Mr. Wardle. But before his examination, Mr. Wardle assured the committee, that he very reluctantly, and against the gentleman's own wishes, called him as a witness. He had no other concern in the business than merely the inadvertent delivery of a message, which, upon mature reflection, he most probably would have declined.

ANDREW THYNNE, Esq. M. D.

Did you attend Mrs. Clarke, in your professional line, in July, 1805? I have attended Mrs. Clarke for the last seven years: I do not recollect that it was in July, 1805, more than any other time. I have known her for seven or eight years, and in different situations; I have attended when she was ill.

Did you ever, by the desire of any person, apply to Mrs. Clarke respecting an exchange between Lieutenant-colonel Knight and Lieutenant-colonel Brooke? I have applied to Mrs. Clarke respecting the exchange of Lieutenant-colonel Knight and Lieutenant-colonel Brooke. The application I made was in consequence of an application made to me by an old and valuable friend, Mr. Robert Knight, the brother of the lieutenant-colonel. He understood I was acquainted with Mrs. Clarke, he begged I would speak to her to expedite the exchange; and I did speak to Mrs. Clarke upon the subject, and delivered her the message I got from Mr. Knight, and his brother, the lieutenant-colonel to whom I was then introduced.

What passed upon that subject between Mrs. Clarke and yourself? I was authorized to tell Mrs. Clarke and that she would receive a certain sum of money; I specified the sum of 200*l*.

For what was the sum specified; upon what event was that sum offered? It was offered for the purpose of inducing Mrs. Clarke to expedite the exchange. The exchange was to take place in the office in a certain length of time; it began in the office; some delays and impediments were expected, and, in order to remove those impediments and those delays, I was authorized to say, that such a sum would be given to her, if she would exert herself to expedite this exchange.

Through what medium was it expected she should obtain that exchange? I am sure I cannot answer that question; I should suppose it was pretty well known that she was acquainted with a great personage at that time; I know nothing about that; I was desired to deliver a message, and I did nothing more than deliver a message, from an old friend to Mrs. Clarke, to induce her to expedite an exchange between two officers.

Was it not under the consideration and conviction of her, at that time, being under the protection of the Commander in Chief, and that such application was made to her? Of course, if Mrs. Clarke was not

thought likely to expedite the thing, no application would have been made to her.

I understand you expressly to have stated, that you offered her 200*l.* for expediting this exchange: I wish to ask how many days, to the best of your recollection, there were between the application and the exchange being notified in the Gazette? I really cannot be accurate in that respect, for it made so little impression upon my mind, that I merely recollect having delivered the message. I was anxious to oblige my friend, Mr. Robert Knight, but it did not concern me, and I cannot bring my mind to tell the exact period between the application and the Gazette; but I believe, it was a good deal expedited by Mrs. Clarke.

Do you think, to the best of your recollection, it occurred within a few days or a week? I protest I cannot bear it in mind; but, I believe, a fortnight or three weeks elapsed before it was done. I cannot speak positively to that. I had nothing to do with the transaction but barely to deliver that message, and that message made no impression whatever upon my mind.

Did Mrs. Clarke communicate to you the circumstance of the exchange being gazetted? Mrs. Clarke sent the Gazette to my house, in consequence of the message I delivered to her from Messrs. Knight; the moment I received the Gazette I sent it to the parties. No money ever passed through my hands. If Mrs. Clarke received money she received it through some other quarter. I solemnly declare, that no money passed through my hands whatever. I sent the Gazette to the parties, and what they did with the Gazette I do not care.

Did Mr. Robert Knight alone authorize you to offer the 200*l.* or was Lieutenant-colonel Knight a party to that offer; I was entirely influenced by Mr. Robert Knight: his lady was an old patient of mine: he was always a great friend of mine. I had nothing to refuse Mr. Robert Knight. Lieutenant-colonel Knight I knew little of at this time; I was introduced to him by his brother: but I was certainly influenced by Mr. Robert Knight, and by nobody else.

Is the committee to understand, that Lieutenant-colonel Knight was present when this authority was given to you to offer the 200*l.*? I am sure I cannot answer that; for I saw Mr. Robert Knight at his own house, sometimes privately, and sometimes in the company of his brother; and the transaction made so little impression upon my mind, that, after a lapse of three or four years, it is not possible for me to relate all the circumstances; but I was influenced by Mr. Robert Knight, who, as a man, I have the greatest esteem and regard for to this hour.

Did you request Mrs. Clarke to apply to the Duke of York, for the purpose of expediting the exchange of Lieutenant-colonel Knight, in consideration of the 200*l.* she was to receive? I do not exactly understand the question: I beg it to be explained.

Whether you requested of Mrs. Clarke to apply to the Duke of York to expedite this exchange between Lieutenant-colonel Knight and Colonel Broke, and in consequence of that application, told her she would receive the 200*l.*? The thing is understood; I could not have applied, nor should not have applied to Mrs. Clarke unless she had the means of expediting the thing; it was understood at the time that she had the means.

How did you understand that Mrs. Clarke possessed the means of expediting that exchange? It was understood at the time that she had some influence.

[The witness was directed to withdraw, and when re-admitted, was directed by the Chairman to answer to facts within his absolute knowledge, and not to his understanding or surmise.]

Did you or not request Mrs. Clarke to apply to the Duke of York to expedite that exchange? I applied to Mrs. Clarke to beg of her to interest herself on behalf of Lieutenant-colonel Knight, and to expedite the exchange.

Did you or not apply to Mrs. Clarke to request her to apply to the Duke of York to expedite that exchange? Yes, I did so, I acknowledge that, if she had it in her power.

Was it for that purpose the 200*l*. was offered to Mrs. Clarke? For that sole purpose.

In this conversation, was the Duke of York's name personally mentioned? I am sure I cannot recollect, I cannot take upon myself to say so. It is impossible for me to recollect every circumstance of a message delivered between three and four years ago.

Was your application to Mrs. Clarke merely to expedite the exchange without mentioning the manner in which it was to be expedited? Certainly, without mentioning the particular manner; it was to facilitate and to expedite the exchange.

Through what medium was it expected that she should obtain that exchange? I am sure I cannot answer that question; I should suppose it was pretty well known that she was acquainted with a great personage at that time. I know nothing about that. I was desired to deliver a message, and I did nothing more than deliver a message from an old friend to Mrs. Clarke, to induce her to expedite an exchange between two officers.

Who was that great personage? It was understood the Commander in Chief.

At the time you spoke of this exchange to Mrs. Clarke, did you give the names in writing to Mrs. Clarke? I believe I did on a slip of paper; and on that paper I believe I wrote, Lieutenant-colonel Knight wishes to exchange with Lieutenant-colonel Brooke; if I did not write it down myself, she wrote it; it was given in writing.

Subsequent to your application to Mrs. Clarke, did she at any time communicate to you, that she had used her influence, for the purpose expressed, with the Duke of York? I do not know that I had seen Mrs. Clarke from the first communication till she had sent the Gazette to my house; that Gazette proved that the exchange was accomplished; that Gazette I sent to the parties; and that is all I had to do with the transaction.

When that Gazette was sent by Mrs. Clarke, did she communicate to you, that it was by her means the exchange had been obtained? Mrs. Clarke accompanied the Gazette with a note, to say that the exchange was accomplished, and that she was going out of town in a day or two, and that the 200*l*. would be very convenient.

Are you certain that those were the whole contents of the note? That was the impression upon my mind at the time. This is a transaction between three and four years ago, and having thought so little about it, I cannot be supposed to know all the circumstances; but I recollect receiving a note, and I recollect receiving a Gazette; the

Gazette I sent to the parties: and I cannot recollect any thing more than I have stated.

Since that period, has Mrs. Clarke ever communicated to you, (that it was by her means it was obtained) Mrs. Clarke never said any thing to me more than sending the Gazette; for, from my first application to the receipt of the Gazette, I do not recollect having seen Mrs. Clarke; or if I did see her, it was merely to enquire whether any progress was making in the exchange.

Has any communication of that kind been made since the sending the Gazette? I do not recollect having had any such communication; at the same time, I believe it was expedited by her means.

Have you preserved that note? No I have not preserved it, certainly; I considered the note as one not concerning me, and I sent it to the parties with the Gazette.

Had you any reason besides your own surmise, for believing, that this exchange was expedited by the interference of Mrs. Clarke?

If I recollect right, I understood that the exchange would be obtained in the regular way, in the course of time; but Mr. Knight, whether from ill health, or what other reason I know not, was desirous of having it done expeditiously; and it was in consequence of that, and his brother's wish, that I applied to Mrs. Clarke in the first instance.

Have you any reason but your own surmise, for believing, that this exchange was expedited by the interference of Mrs. Clarke? No other reason on earth.

When you made this application, did you not know that Mrs. Clarke was living with the Duke of York, and immediately under his protection? It was so understood at the time.

Did you ever see the Commander in Chief at Mrs. Clarke's? Never.

Of your own knowledge, do you know of such a relative situation between those two parties? I never saw the Duke of York there in my life.

Do you recollect the manner in which the proposition was at first made, engaging Mrs. Clarke's interest? When I first spoke to Mrs. Clarke, she seemed to suppose there were some difficulties in the way, and she spoke a good deal about secrecy, and of the danger that she should run if this ever transpired.

Do you recollect what words she used when she expressed that sentiment? It is impossible for me, at this length of time, to recollect the precise words, but the meaning I am clear in.

You have said that Mrs. Clarke expressed a great desire that it should be kept secret; did she mean secret from the Duke of York, as well as the rest of the world? That is a matter of surmise.

Did you not understand from Mr. Knight, that the exchange alluded to was in a train of being effected, previous to Mrs. Clarke's interest being solicited? I understood the thing would have happened in the course of time. Mr. Knight wished to have the thing expedited, I know not from what motive; and it was to expedite it that he begged of me to speak to Mrs. Clarke. The exchange was a simple, fair thing, as I supposed, and would have gone through the office in the regular way.

[The Witness was directed to withdraw.]

ROBERT KNIGHT, Esq.

Did you desire Dr. Thynne to use his influence with Mrs. Clarke to have an exchange between your brother, Lieutenant-colonel Knight, and Lieutenant-colonel Brook, carried into effect? I did.

Did you authorize Dr. Thynne to hold out any personal temptation to Mrs. Clarke, to induce her to carry the point? Yes.

To what amount did you authorize Dr. Thynne to offer Mrs. Clarke? Two hundred pounds.

After the exchange was effected, did you, by yourself or any other person, give any sum of money to Mrs. Clarke? Yes.

To what amount? Two hundred pounds.

Had Colonel Knight any positive promise from the Commander in Chief for this exchange with Colonel Brooke, prior to such application to Mrs. Clarke? My brother applied in the regular way to the Duke of York, and received the usual official answer on the subject, that whenever a proper successor could be found, there would be no objection to the exchange taking place.

Do you know of any positive promise of the Commander in Chief, prior to the application to Mrs. Clarke, that that exchange should take place? No.

Where was the application made to Mrs. Clarke? There was some delay in the business, from what cause I do not know, and I stated that circumstance to Dr. Thynne, who happened to be attending my family at the time. He replied that he thought he could be of service, by applying to a friend of his, Mrs. Clarke. I told him I should be much obliged to him if he would apply to her, and that I should be happy to give 200*l.* if the business could be carried into effect, as my brother was in a very bad state of health at the time, and I was very desirous that he should exchange to infantry, for the purpose of going upon half-pay, that he might recover his health. I believe he had served as long as any man in the country of his age, and suffered from it; he had served twenty-three years, and I believe he has been in every battle during the French Revolution; and it was my anxiety to serve him, that has placed me in this painful and distressing situation.

How did you send the 200*l.* to Mrs. Clarke? Under a blank cover, so far as my recollection serves me, by my servant. I do not think that I made any observation in the enclosure, but directed it simply to her.

Did you see Mrs. Clarke soon after the notice in the Gazette that the exchange was effected, and for what purpose did you see her? I saw her, I think, in the month of September, for the purpose of thanking her.

Upon that occasion did Mrs. Clarke desire you to be secret with respect to this transaction; and did she assign any, and what reason for that secrecy? She did intreat me to keep it a secret, lest it should come to the Duke of York's ears.

Have you seen Mrs. Clarke within the last month, and how did it happen that you saw her? She wrote to beg that I would come to her, about a month ago; to which letter I made no reply. She wrote a second letter, as far as my recollection serves me, about ten days ago, I went to her, and she asked me the name of the officer who had ex-

changed with my brother: I told her. She made a number of complaints of her having been ill treated by the Duke of York; that he had deserted her and left her in debt, I think to the amount of 2000*l.*; and that she was determined, unless she could bring him to terms, to expose him in the manner in which she is now endeavouring to do. I said that that was her affair, but that I trusted she would not introduce either me or my brother. She said, O good God, no by no means, it is not my intention, you can have nothing at all to do with it. That passed in the drawing-room; and I took my leave, and heard nothing of her since; and I was very much surprized to hear of my name being mentioned in the way in which it has. I was thunderstruck at its being done without any notice.

Had Colonel Brooke's name been mentioned to the Duke of York to exchange with your brother, previously to the application to Mrs. Clarke? I think I have already replied, that the application was made in the regular way. I do not know it; but by a reference to the office, the papers will speak for themselves. I cannot speak from my own knowledge to that.

You have stated, that your reason for applying to Mrs. Clarke was, that a delay existed in the exchange taking place; do you, of your own knowledge, know where those delays took place, in what office? In the Duke of York's office, I suppose.

Can you state in what department of the office? I fancy that Colonel Gordon was secretary at the time.

You have mentioned that you sent the bank notes in a cover by your servant; at what time of the day did you send those notes? I am pretty sure it was in the former part of the day, rather early in the morning.

Were they bank notes that were sent? That I cannot charge my memory with.

Was it one or two notes? Upon my word I cannot venture to say, but I rather think in two bank notes.

Can you say from whom you received the bank notes? Upon my word I cannot; it is a long while ago, nearly four years.

How long was this before your brother was gazetted? The sending was after he was gazetted.

How long before your brother was gazetted did you speak to Dr. Thynne? I should think the negotiation went on near a fortnight, or from a fortnight to three weeks, as far as my recollection serves me.

Did you ever receive any note from Mrs. Clarke with the Gazette? No, it was from Dr. Thynne I received the communication.

Did you receive any letter from Dr. Thynne? That I do not recollect.

From Mrs. Clarke to Dr. Thynne? No; I do not think that I saw any letter.

Did you ever receive any letter from Mrs. Clarke, except what you have mentioned in your former evidence? I have received several letters from her, subsequent to the transaction.

Respecting this transaction? No; I do not think I received any from her respecting this transaction.

Did you receive any answer to the note transmitting the bank notes? None.

Did your brother, to your knowledge, ever apply to the command-

ing officer of the 56th regiment, to recommend the exchange to the Commander in Chief? I do not know, I believe he did; I am pretty sure that he did.

Do you recollect about what time? Upon my word I do not.

Did you receive from Dr. Thynne the Gazette containing the account of the exchange? It now occurs to me that I went to the office for the Gazette myself, somewhere about Chancery-lane; I got it myself from the Gazette office.

How long a time elapsed between the first application being made at the Commander-in-Chief's office, and the second application to Mrs. Clarke through Dr. Thynne? I think, as I said before, about from a fortnight to three weeks.

How long a time elapsed between the first application being made at the Commander in Chief's office, and the second application to Mrs. Clarke, through Dr. Thynne? Upon my word, I cannot say exactly.

About what time? It might have been ten days; but I cannot speak accurately.

You have stated, that you went to the Gazette office to fetch the Gazette; had you any reason to suppose that the exchange would be announced in that particular Gazette, or did you go upon every publication to fetch the Gazette, to see whether it was inserted? I think I went three times in the whole.

In point of fact, before this transaction took place, had you ever learned from Mrs. Clarke that she did apply to his Royal Highness the Commander in Chief to expedite this exchange? I cannot tell; I did not become acquainted with her till after the exchange was notified in the Gazette, about six weeks afterwards.

In the conversations you have since had with Mrs. Clarke, did you ever understand from her that she had, in fact, applied to the Commander in Chief to expedite the exchange? Of course; she took credit to herself for expediting the business.

You have no reason for presuming it, but that she took that credit; you do not know that she actually applied? I am not bound to draw inferences.

Did you ever learn from Mrs. Clarke, that she actually applied? She told me she had applied, certainly, when I saw her in September.

To whom did she say she had applied? To the Duke of York.

At the time she said she had applied to the Duke of York, were the Duke of York and she living upon terms? I do not know that of my own knowledge.

When this conversation took place, did Mrs. Clarke reside in Gloucester-place? Yes.

Was it after she said she had applied to the Duke of York, that she requested the transaction might be kept secret? Yes, it was after, certainly.

In point of fact, did you send the 500*l.* to Mrs. Clarke for any other reason than her interference in expediting the exchange? I certainly sent it her to do all in her power to accelerate the exchange.

Did not Dr. Thynne transmit to you a Gazette, after the exchange had taken place between your brother and Colonel Brooke? I do not know but he might.

Was that accompanied with any note from Mrs. Clarke to Dr. Thynne? I do not remember that it was.

Was it after you had sent the 200*l*. to Mrs. Clarke, that Mrs. Clarke expressed her desire that it should be kept secret? Certainly.

Was the fact which Mrs. Clarke desired should be kept secret from the Duke of York, the receipt of the 200*l*. which you sent her? Yes.

Did she expressly desire you to conceal from the Duke of York your having paid her 200*l*.; did she use those words, or, as nearly as you can recollect, what words did she use? She requested that the whole business might be kept a secret.

Did she express herself particularly, during the conversation, as to the money, or was it one general conversation as to the transaction itself? As to the transaction itself.

Was that wish of Mrs. Clarke, that the matter might be kept secret; at the last interview you had with her about ten days ago? No; it was in the month of September, 1803, subsequent to the transaction in question.

How long, previously to that interview, had the money been transmitted? It was the day after the transaction was notified in the Gazette: I believe the next morning.

Did Mrs. Clarke, in expressing a wish that the transaction might be kept secret, express a wish that the Duke of York might not know that you had any thing to do with it? Certainly.

Was not her wish expressed, that it might be kept a secret from the public? From him, the Duke of York.

Repeat, as nearly as possible, the conversation that passed upon that subject. Upon my word, I do not see how I can exactly; it is a long while ago. It is impossible that I should repeat her words.

What expressions did Mrs. Clarke use, that you now recollect, which enables you to state that it was not from the public, but from the Duke of York himself, that she wished it to be kept secret? She begged it might be kept a secret from the Duke of York. I do not know how to shape my answer in any other way; it is impossible to recollect every word that passed four years ago.

Did she add to that request, or did she join with that request, that your having any thing to do with it might be kept from the Duke of York? She was anxious that the whole transaction might be kept from him.

Did she say, or give you to understand directly, that the Duke of York would object to your being a party in the transaction, more, probably, than to any other person? No.

Do you know that this exchange took place in consequence of your application to Mrs. Clarke? I cannot say that I know it; it is impossible that I can say that, for the application had been in the War-office some time previous to the transaction with Mrs. Clarke; I should think it must have been in the office from ten days to a fortnight, but I cannot speak exactly; but that is a fact very easily got at by reference to the War-office; the correspondence is to be found, no doubt.

Did you ever ask Mrs. Clarke whether she applied to his Royal Highness the Duke of York to expedite the exchange? It does not occur to my mind that I asked her that question.

Did she ever say that she had applied to the Duke of York? I am assured that she had applied to the Duke, most certainly.

Did Mrs. Clarke appear more anxious that the transaction might be kept a secret from the Duke of York than from the public? The public was never mentioned in the business.

Was the Gazette, which was transmitted to you from Dr. Thynne, transmitted in a blank cover, or with any letter from the Doctor? I do not remember.

When Mrs. Clarke told you, that, unless the Duke of York made terms, she would expose him; did she state what measures she was taking to expose the Duke of York? No.

Do you recollect the expressions that she made use of? She stated that she had been ill-treated by him, and deserted by him, and left in debt; and that if he did not pay those debts (I understood her so, however,) she certainly would expose him.

Do you recollect whether you, or Dr. Thynne, first mentioned the name of Mrs. Clarke, in the conversation you had together? I think it was Dr. Thynne; I became acquainted with her through him.

Was the interview you had in September, 1805, the first personal interview you had with Mrs. Clarke? Yes; but I will not be positive as to its being in September; it might have been the latter end of August; it was the latter end of the year.

That was the first interview you had with her? Yes, it was.

Where did Mrs. Clarke reside when you sent the 200*l.* to her? I have already stated, in Gloucester-place.

Had you any particular reason for sending the money early in the morning? No, no particular reason; I should have been sorry to have disturbed the family.

[The witness was directed to withdraw.]

A member present observing that it would be proper to examine the commanding officer of the 56th regiment; general the honourable Chappel Norton said;—"I cannot speak to the time; but Colonel Knight certainly applied to me, and explained himself very fully and very satisfactorily to me, or I should not have recommended the exchange, which I did."

Mrs. MARY ANN CLARKE.

Did you reside in Gloucester-place, in a house of the Duke of York's, in July, 1805? Yes, I did.

Did you live under his protection? Yes, I did.

Do you recollect Dr. Thynne about that period attending you in his professional line? He attended me, I believe, about that time.

Do you recollect that an application was made to you by Dr. Thynne, to effect an exchange between Lieutenant-colonel Knight and Lieutenant-colonel Brooke? Yes, I do.

Do you recollect that he urged great dispatch? Yes.

Did he hold out any expectation of a pecuniary compliment provided you effected the exchange? Certainly he did.

Do you recollect his mentioning any particular sum? Yes, I think he did say something about a couple of hundred pounds.

Do you recollect that Dr. Thynne told you, that Colonel Knight had been long endeavouring to get the exchange? Yes, I do.

Did you afterwards speak to the Commander-in-Chief upon the subject? Yes, I did.

How did you mention the business to him? I told him of it, and I gave him the slip of paper that Dr. Thynne gave me, with their names, just after dinner.

Did you at the same time state to the Commander-in-Chief, that you were to have any pecuniary advantage, provided the exchange took place? His Royal Highness asked me, if I knew the parties, and I said I did not, that they would make me a compliment.

Did you state the amount of the compliment you were to have? I am not certain that I did.

Are you certain that you mentioned to the Commander-in-Chief, that you were to have any pecuniary compliment? I told his Royal Highness, that I did not know the men at all, and certainly they would make me some sort of compliment; I did not know them then.

When the exchange appeared in the Gazette, do you recollect sending it to Dr. Thynne? Yes, I do.

Do you recollect sending any note with that Gazette? Yes.

Do you recollect afterwards receiving any pecuniary consideration? Yes, I do.

How much? A 200*l.* bank note was sent me.

How was that 200*l.* bank note sent you? It was sent me inclosed in a note, with Dr. Thynne's compliments.

Do you mean to say, that the person who brought it, brought compliments, or that there were any written compliments? I think it was written in the note.

After receiving the 200*l.* do you recollect at any time making that circumstance known to the Commander-in-Chief? Yes, I do.

When did you mention it to him? The same day.

What passed upon the subject; I only merely said, that they had kept their promise.

Did the Commander-in-Chief know from you the amount of the money you had received? He knew the amount, because I shewed him the note; and I think that I got one of his servants to get it exchanged for me through his Royal Highness.

Where were you immediately before you came to the bar of this house? In some room about this place.

Did you see any, and what, people there whom you knew? I saw Captain Thomson there; Mrs. Metcalfe, the wife of Dr. Metcalfe; Miss Clifford, the lady who was with me; Mr. Wardle came in for a minute; Dr. Thynne and his son.

Did any, and what, conversation pass between you and Mr. Wardle? None.

Not a word? He asked me how I did, and spoke to a lady there.

No other conversation passed between you and him? None.

Has any conversation passed between you and Dr. Thynne, since he has been examined in this house? Yes, he has been sitting with me nearly ever since.

To what purpose was that conversation between you? Not at all relative to this business, it has not been addressed to me, it has been addressed to the two ladies with me, entirely.

Repeat as much of that conversation as you can recollect. I could not repeat after Dr. Thynne, if his character is known at all to the gentlemen here, it would be very indelicate; he has merely been laughing at the gentlemen here.

Do you know Mr. Robert Knight, and how long have you known him? I know Mr. Robert Knight; he took an opportunity of calling upon me, to thank me for getting his brother so quickly through the

business, soon after I came to town, about a month or six weeks afterwards, in company with Mr. Biddulph.

Was it in the month of September? I do not know exactly the month, it was soon after.

What was the conversation which passed between you at that meeting? It is so long since, it is impossible for me to recollect; but Mr. Knight thanked me for getting the exchange for his brother, as he had been trying some months before, and I did it so very quickly; and Mr. Biddulph had some favour to ask of me.

Did you, upon that occasion, desire Mr. Robert Knight to keep secret this transaction? Yes; I should think that I did, certainly I should say that; I do not recollect saying it, but it is very likely that I did.

Do you recollect expressing a wish that it might be kept secret, lest it should come to the ears of his Royal Highness the Duke of York? O no, never.

Or any thing to that effect? Nothing like it.

Are you quite sure of that? Positive.

When you mentioned to the Duke of York, that you were to receive a compliment for promoting the exchange of commissions between these officers, did his Royal Highness make any remark upon that; and if he did, what was it? He told me, that he knew the business very well, that they had been trying at it some time, and that he thought one of them was rather a bad subject; but he would do it.

When you mentioned to the Duke of York, after the exchange had taken place, that you had received a compliment, and shewed him the note of which that compliment consisted, did his Royal Highness then make any observation? Not that I recollect; it was finished.

At what time was this application first made to you? Two or three days before it took place, or a couple of days.

Was it not gazetted on the Saturday? I do not recollect.

Can you be sure it was not more than three days before it was gazetted, that the application was made to you? I do not think it was, I think I might guess at the time of the year.

What time of the year was it? His Royal Highness was going down to Weymouth on the night that I changed the note, which was the reason that I got the note changed; my servants could not get it changed, and his servant got it changed for me. Lord Chesterfield's family was going down, and he was going to be godfather to Lord Chesterfield's child: it was the end of July, or the beginning of August.

When did you first mention this transaction to Colonel Wardle? I mentioned it to others before I ever mentioned it to him.

When did you first mention it to Colonel Wardle? I do not recollect.

About how long ago? It must have been very lately.

Why do you say that it must have been very lately? Because I speak from the fact.

How long ago did you mention it to Colonel Wardle? I should think within a month; he had heard it from other quarters than from me, and attacked me upon it.

Had you any knowledge of Colonel Wardle before he attacked you upon it? Yes, I had.

What had led to your knowledge of Colonel Wardle before that time? Himself.

Are you speaking of a time before the attack he made upon you with respect to this transaction? Yes, I knew him before ever he attacked me upon this subject.

How long? I suppose six months.

Had you ever mentioned the transaction voluntarily to Colonel Wardle, till he attacked you upon it? He asked me if it was true, and I told him yes.

Had you stated this voluntarily of your own consent to Colonel Wardle, or only in answer to his enquiries? When Mr. Wardle told me he had heard of it, and mentioned the circumstance to me, I said yes, it was true; that was all I said; I did not think I should be brought here upon it, or I might have been very apt to deny it.

Would you willingly have concealed it? I concealed it from the beginning; it was not a public thing: certainly, any thing which ought to be private, I have sense enough to keep as such. I believe Mr. Knight spoke of it himself—it had got round.

Who were those other persons that you spoke of to it, besides Mr. Wardle? A few of my friends, I do not recollect who; I am not without friends.

How came you to mention to a few of your friends, whom you cannot recollect, a transaction which you say ought to have been kept secret, and which you think came forward only from Mr. Knight's mentioning it? I did not say that I mentioned it, I said that my friends mentioned it, and that then I said it was all very true.

When you mentioned this transaction to Colonel Wardle, did you give the same account of it which you have given to-day? No, I did not.

Which was the true account? Both.

In what did the two accounts differ? I do not see that they differ at all, I did not enter so into detail as I do now.

Was the difference between your accounts, that you were shorter in the account you gave to Colonel Wardle, than in the account you have given to-day? Considerably.

Can you recollect the day on which Dr. Thynne applied to you? The day of the month, or the day of the week?

Either? I do not, it was such a trifling affair.

Cannot you tax your recollection upon either one or the other? Not upon such a trifling occasion.

Have you not told Colonel Wardle on what day Dr. Thynne applied to you? No, I have not.

Did not you tell Colonel Wardle that the application was made to you on a Thursday, and that it was gazetted on the Saturday? No, I did not; I might as well have said Tuesday as Thursday, I do not recollect any thing about days or dates.

Have you told the House now, all that you told Colonel Wardle upon the subject? I have answered that before; I have told the House more than I have told him a great deal; I told them that I did not go into detail with him, and I have with the House.

Have you told the House every thing that you mentioned to him? Upon what subject?

Upon this subject? Yes, I have, and a great deal more.

What have you told the House to-day, which you have not told

Colonel Wardle? I mentioned it but slightly to him, and I have told every thing here that I recollect, except a slight conversation between his Royal Highness and myself, which I suppose it is not necessary to repeat.

[The witness was directed to withdraw, and a short discussion took place, in which the Attorney General disclaimed any disrespect to Colonel Wardle, in his examination: and the witness was again called in.]

What circumstances have you mentioned to the House relative to this transaction, which you did not mention to Colonel Wardle? I did not mention to Colonel Wardle that I shewed the note to his Royal Highness, nor did I tell him that his Royal Highness got change for it; it was for me that he got change, he was going out of town at one o'clock, and I at four, and I wanted the change to leave some with my servants in town, and some I wanted with me; I did not enter into that detail with Colonel Wardle.

Is that the only circumstance that you have mentioned to the House, and did not mention to Colonel Wardle? No, it is not.

State the other circumstances which you did not mention to Colonel Wardle. I did not say much to Colonel Wardle at all, it was very trifling what I mentioned to him; he had heard it from other quarters, and asked me if it was true; and I said yes.

Had you any intention to have mentioned this, if Colonel Wardle had not asked you? It was in conversation it was mentioned.

Should you have mentioned this to Colonel Wardle, if Colonel Wardle had not mentioned it to you? Perhaps I might, and perhaps I might not.

Had you any object in mentioning it either to him or to any other person? None whatever.

Had you any end to accomplish by making this known? Certainly not.

Have you ever stated, that you had any ground of complaint against his Royal Highness? All my friends know that I have.

Have you ever stated to any one, that you had grounds of complaint against his Royal Highness? To many I have stated it.

Have you not stated, that if his Royal Highness did not comply with your demands, you would expose him? I told Mr. William Adam, in a letter, that if he did not fulfil his promises and the Duke's by paying me the annuity, for which Mr. Adam was the guarantee, and which Mr. Adam promised me should be regularly and punctually paid me, that I should be necessitated to expose his Royal Highness's letters, that was all.

Have you never said, that if his Royal Highness did not come to your terms, you would expose him? No, never in my life.

Never to any one? Never to any one whatever; nor is it willing at all in me now. I was very angry in that letter, and perhaps Mr. Adam will produce it; that goes to the worst part that ever I said or acted.

Is it only in one letter that you have threatened to expose his Royal Highness? Two I have written to Mr. Adam; that is all, to any one.

Were there threats in both the letters? They are not threats: I solicited.

Did you say in those letters that you would expose his Royal High-

ness? Mr. Adam, I suppose, has the letters; and, if he is in the House, will perhaps produce them.

Did you accompany your solicitations by saying, that if they were not complied with, you would expose the Duke? I do not recollect that I did, but you had better ask for the letters.

Did you never make any declaration of that sort to any other person? No, never.

Did you never state to any other person, that if your terms were not complied with, you would expose the Duke, or use any terms to that effect? I have told you before, I did not.

Are you quite certain of that? Yes, quite.

Did you ever tell Mr. Wardle that you wanted this 200*l*. for a particular purpose? No, I did not.

Did you not say to Mr. Robert Knight, that if his Royal Highness did not come into your terms, you would expose him? No, I did not.

Did you ever say any thing to that effect to Mr. Robert Knight? No, I did not; I told him I was going to publish the Duke's letters, to pay the creditors, which his Royal Highness had refused. His Royal Highness had insisted that I should plead my marriage to avoid the debts, or that I might go to prison, that was his last message to me.

When was that message sent? I should think six weeks or two months since; my lawyer can tell, the message went to him.

Who is your lawyer? Mr. Comrie was my lawyer.

Who was your lawyer then? Mr. Stokes who lives in Golden-square.

He was your lawyer when that message was sent? He received the message, and came with it to me.

Who carried the message to him? A man in the employ of Mr. William Adam, a sort of lawyer.

Did Mr. Knight come voluntarily to you, or did you send for him? I was in the habit of writing to Mr. Knight, since we had been intimate, after the affair of his brother. I wrote him one or two letters, and told him where I lived, and told him to call when he came to town; I dare say he has the letters, which will resolve the question at once.

Did you not write to him, to desire him to come, particularly upon the occasion when you told him you should publish the Duke's letters? No, certainly I did not.

Did you not send to him, to desire that he would call upon you, and when he came, tell him, that you intended to publish the Duke's letters? I must refer you to the letters; it was only a common sort of letter that I am in the habit perhaps of writing to many more gentlemen, besides Mr. Knight.

You have mentioned, that you were advised to plead your marriage; are you married? It is of no consequence at all about my husband, that has nothing to do with it; Mr. Adam can tell who I am.

Are you a married woman or not? You have no reason to doubt it.

[The witness was informed by the Chairman, that she must give a direct answer to the question.]

I am a married woman; there is no question which I will not answer, though it may be unpleasant.

How long have you been married? I refer you to Mr. William Adam, he has my certificate.

How long have you been married? I believe fourteen or fifteen years.

Is your husband living? I do not know.

Have you not sworn yourself to be a widow? His Royal Highness, a very short time since, when I sent to him to ask him to send me a few hundred pounds, sent me word that if I dare speak against him, or write against him, he would put me into the pillory, or into the Bastille. He fancies that I swore myself to be a widow woman when I was examined at a Court Martial. But the Deputy Judge Advocate had more feeling than the gentleman who has examined me now; he told me I might say any thing out of the Court which it might be unpleasant to me to swear to; I told him it would be very improper for me to say that I was a married woman, when I had been known to be living with the Duke of York. I did not swear that I was a widow, I said it out of Court, and it was put into the Court Martial Minutes as if I had sworn to it, but it was not so. The Judge Advocate, to whom I told it, is at the door, and I think he had better be called in, I know now what he is come for.

Who brought that message from the Duke to you? A very particular friend of the Duke of York's.

Who? One Taylor, a shoemaker in Bond-street; very well known to Mr. Adam.

By whom did you send the request to the Duke for these few hundreds, to which the Duke sent this answer by Taylor? By my own pen.

How did you send the letter? By this ambassador of Morocco.

What do you mean by this ambassador of Morocco? The ladies' shoemaker.

Was it a verbal answer that was brought to you, or a letter? A verbal answer, in Mr. Taylor's own language or the Duke's; I do not know which it was exactly, but those were the words that passed.

What is your husband's name? Clarke.

What is his christian name? Joseph I believe.

Where were you married to him? At Pancras; Mr. Adam can tell you.

[The Chairman stated to the witness, that he felt it his duty to inform her, that her manner of giving her answers was extremely indecent, and unbecoming the dignity of the house; and that, if persevered in, it would call for a very heavy censure.]

Have you not said, that you were married at Berkhamstead? I did when I was laughing at Mr. Adam.

Did you not persevere in that story over and over again? No, I did not, I merely laughed at it.

Was it true or not, that you were married at Berkhamstead? I tell you I told it him laughing; and I told the Duke I was making a fool of him when I said that; for which his Royal Highness said he was very sorry, for that he was entirely in Mr. Adam's clutches.

Did you make Mr. Adam believe that you were married at Berkhamstead? I do not know what I made him believe.

Did you not find, from subsequent conversations with Mr. Adam, that he had believed it, and acted upon it in some enquiries that he had made? He set a man of the name of Wilkinson to make some enquiries respecting me; so his Royal Highness wrote me a letter, but

I believe that Mr. Adam, nor no one, will go to say there was any thing improper in my conduct during the time I was under the Duke's protection; nor will his Royal Highness believe it, I am certain.

Did you not represent your husband as a nephew of Mr. Alderman Clarke? He told me he was.

Did you believe that your husband was a nephew of Mr. Alderman Clarke? Yes, I did; he told me so.

Did you ever see Mr. Alderman Clarke? I never saw any of Mr. Clarke's relations, but two of his brothers, and his sister; I have seen the Alderman sometimes about, as any body else might have seen him.

Do you now believe that your husband is the nephew of Mr. Alderman Clarke? I have never taken any pains to ask any thing concerning him, as I have quitted him; he is nothing to me, nor I to him; nor have I seen him nearly these three years, nor heard of him since he brought an action against the Duke, or threatened; I saw him about a month before that.

What is your husband? He is nothing—but a man.

What business? No business.

Was he never any business? No, his father was a builder; he lives at Kettering, in Northamptonshire.

Was he not a stone-mason? No, he was not; he lives at Kettering with his younger brother, who was brought up at Cambridge, and his brother's wife; that is all I know of him.

Did you ever live in Tavistock-place? Yes, I did.

When did you live there? I do not recollect; I lived there with my mother.

How many years ago? I do not recollect.

When did you go to Gloucester place? I do not recollect; I was with the Duke, in Park-lane, before.

When did you go to Park-lane? I do not recollect.

How long was it before you went to Park-lane, that you were in Tavistock-place? I do not recollect.

Did you live at any other place between the time of your living in Tavistock-place, and in Park-lane? I do not know; the Duke knows if I did; I might have gone to some of his houses; I do not know.

How long did you live in Tavistock-place? I do not recollect; I did not live long there; I was backwards and forwards.

Was not that before you knew the Duke? No, it was not.

Where did you live when you first knew the Duke? You will excuse me if I do not mention it.

[The Chairman informed the witness she must answer the question.]

I do not recollect.

If you do not recollect, why did you desire to be excused from answering the question? Because I do not recollect it.

Was your only reason for desiring to be excused from answering the question, that you do not recollect it? Yes; because it would be seeming as if I could not answer many of the questions you put to me: I wish to be very fair and very honest.

Recollect yourself, and say positively whether you did not live in Tavistock-place before you knew the Duke? I knew the Duke many years before that. I do not think it is a fair question at all to put to

one; you hear that I am a married woman, and I have a family of children, and I have a daughter grown up.

Did you not live in Tavistock-place before you were under the Duke's protection, as you expressed yourself? I was under his protection; I might have lived there: I lived under his protection there.

Do you mean to say, you were under his protection when first you went to Tavistock-place? No; I was under my mother's; but I knew him before.

Did you not live in Tavistock-place as a widow; did you not represent yourself as a widow? No, never at any place whatever; but at that Court-Martial lately I did; I thought it was saving myself and my family something; and I thought it was saving his Royal Highness likewise, as he was married also.

Do you mean to say that you never lived in Tavistock-place till you were under the protection of the Duke? No; I say I was there with my mother and my children; I know his Royal Highness previous to that, but I did not live with him.

Did you not represent to the trades-people who furnished your house there that you were a widow? Never to any one whatever.

Have you not threatened the Duke, that if he would not come into the terms you proposed, and pay you what you required of him, you would put the letters into the hands of persons who would pay you? Would pay me what?

That which you required the Duke to pay you? What is that? Will you be so good as to state what I wanted him to do?

Have you not stated, that you had put upon paper, or would put upon paper, the transactions for the last fourteen or fifteen years, and that if he did not comply with your demand, that you would put that memoir into the hands of persons who would publish it? No, I have not; I cannot recollect what I said, but I must beg for the letter, and that will convince at once.

You have stated, that you have mentioned this transaction to some other persons besides Colonel Wardle; who are those persons? Indeed I do not recollect; my acquaintances; it might have been in a slight sort of way; I did not make a talk of it myself.

How long ago was it that you first mentioned it to Colonel Wardle? That must have been since I wrote that letter to Mr. Adam; I did not know Colonel Wardle at that time: Mr. Adam sent a messenger to me; but I would not see him.

Who has been present besides Colonel Wardle when you have ever mentioned this transaction to him? I do not know of any body but my children, or a young lady now and then; nobody of any consequence—no man.

To what man have you ever mentioned this, except to Colonel Wardle? To many gentlemen; to my acquaintances; I do not recollect; I do not know.

Do you know Major Hogan? Not at all; I never saw him in my life, nor ever heard of him till I read a pamphlet. Mr. Greenwood sent a message a little time since, by this same man, Taylor, to say that he was very sorry to hear that I was acquainted with a Mr. Finerty. I never saw the man in my life. I believe about eight or nine years ago, at Margate, they said there was some newspaper men there, and he was there; that is all that I know. I never saw him since.

And there is another man who writes, who says he is very intimate with me; I never saw him but once, and that was when his Royal Highness was with me: That was at my mother's.

Do you recollect the particulars of the last conversation which you had with Mr. Robert Knight? Yes; he asked me who had taken the house I was in, and if the Duke and I were upon intimate terms now; it was a sort of general conversation; and then the subject of the letters came up, and he asked me whether his Royal Highness had paid me my annuity; I told him no; that his Royal Highness had not taken any further notice of me, nor of the debts; that he had forgotten the annuity, and indeed, that he had sent me word he had never made any; that the trades-people were daily harassing me for the debts I had run into when I was under his protection, and it was impossible for me to plead my marriage to them all, the people not being contented, and that I would publish his letters, and give the money among the trades-people. Mr. Robert Knight then desired me, if I was going to publish any sort of memoir, that I would be sure to spare his brother. That was the heads of the conversation that passed between us.

Was there any other notice taken, in that conversation, of the business that is at present under discussion, except Mr. Robert Knight requesting you generally to spare his brother? No, certainly not.

Did you make any inquiries of Mr. Robert Knight, concerning the business now under discussion? Mr. Knight told me, I believe, as well as I can recollect: "Ah, by the bye, you got very well over the difficulty that my brother could not;" and then I asked him the name of the other man, but I knew it before, and what sort of looking man he was; he said he was an Irishman.

I understand you to have said, in the former part of your examination, that Colonel Wardle had mentioned the circumstances to you; and that all the information you had given to him, was generally, that the circumstances he had so mentioned, were true: do you still abide by that answer? Yes.

Have you ever had any more than one conversation with Colonel Wardle upon this matter under discussion? No, I have not; and I hope I shall never hear of it any more.

Are you in the habit of seeing Colonel Wardle, or have you seen him more frequently than that occasion when he came to enquire into those circumstances? O dear, yes.

Do you recollect how long ago it was that that conversation relating to this business took place between you and Colonel Wardle? I have said before, it could not have been long since.

Has the only conversation you had with Colonel Wardle, upon this subject, taken place within these three days? No.

Has it taken place since Friday last? Indeed I do not know; I do not recollect; I do not think that it has.

Did that conversation take place since Friday last? No; to the best of my recollection not.

Did you see Colonel Wardle on Saturday last? I see him very often; I think I saw him at the Opera on Saturday.

Did you see him any where else but at the Opera on Saturday? He frequently calls upon me.

Did you know, and when did you know, that Colonel Wardle had, in this House, stated the present transaction, and mentioned his inter-

tion of calling upon you as a witness? When I saw the newspaper. He called upon me soon afterwards, and I certainly was very angry with him; and we had some words, as he had made very free with a friend's name of mine, Mr. Donovan, without any authority, depreciating his services and abilities. Mr. Donovan has been wounded in the service of his country, and has not been in bed for these twenty years; and he is, only a lieutenant in some garrison battalion. Mr. Wardle, one morning when he was calling upon me, took a parcel of letters away from me, without my giving him my sanction; and that has led more to the business than any thing, and I have never been able to get them back since. He laughed it off, saying that he should get into my love-secrets. They were letters between friends and myself.

Do you not now recollect, that it was on Saturday last that you saw the newspaper that gave you this information? I do not recollect the day at all.

Did you not see Colonel Wardle on Saturday last? I see him almost every day; sometimes every other day, or twice a week. I do not recollect. I dare say I did. I am in the habits of seeing him often; but I did not know he was going to bring this thing forward; and I told him I would get out of town; and he told me, that if they caught me any where, they would put me in prison, and I must not shew contempt to a summons from the house of commons.

Did you see Colonel Wardle yesterday? I think I did.

Have you any doubt; are you not certain that you saw him yesterday? No, I did not see him yesterday.

Are you certain now that you did not see him yesterday? I think that I am; I do not think I was at home all day.

Did you see Colonel Wardle on the forenoon of this day? Yes, I did, two or three times.

Do you still adhere to your former answer, that you have not, within these three days, or since Friday last, had any conversation with Colonel Wardle, relative to the subject at present under discussion? To-day he told me that I must come here and obey that summons; and one day last week, a few days ago, he told me I must abide by what he had done and speak the truth, and if I did not the house would commit me for contempt; that if I prevaricated at all, and did not speak the truth, the house would commit me, and send me where they had sent some sheriffs before.

You have stated, that his Royal Highness the Commander in Chief must have known you had received a pecuniary compliment for the service you had done to Colonel Knight, because he had seen a note; did you shew the Commander in Chief that note before or at any other time, except when you asked him to exchange it for your own convenience, for the distribution of money among your servants? I shewed it him after dinner one day, when I was going out of town in the morning, and his Royal Highness at night; I never shewed it him but that once, and it was changed on that night.

By whom was the message concerning Finnerty conveyed? By Taylor; he told me that he had just left Mr. Greenwood, who had been just reading one of Hogan's pamphlets to him, and that Mr. Greenwood told him that he had been told by several people, that I was concerned with all the pamphlet writers, and among the rest, was very intimate with one Finnerty, which I denied, as I do now.

Soon after you had received the 200*l*. Mr. Robert Knight and Mr.

Biddulph called upon you? Yes, I do not know exactly how soon after. I went out of town the night after I had received the 200*l.* and staid perhaps a fortnight or three weeks, and they called after that time. He introduced Mr. Biddulph to me.

Did Mr. Robert Knight, after that, ever call upon you alone at any time, soon after you had received the 200*l.*? Many times alone.

Did you ever at any time, in conversation with Mr. Robert Knight, either when Mr. Robert Knight was alone with you, or when any person was with you, ever say to him, that you were desirous that the transaction that had happened should be concealed from His Royal Highness the Duke of York? Never in my life; I never said that, and I have so stated before.

Then, if any body has ever said that you said so, that accusation is false? Certainly.

You have stated, that you sent the Gazette, containing the exchange which took place, in a note to Dr. Thynne; do you recollect what was said in that note? No, I do not; very little, I dare say, as I sent the Gazette with the note.

You have likewise stated, that the 200*l.* was brought to you in a note with Dr. Thynne's compliments; are you certain as to that fact? Yes, I think I can say positively to that, because I told my own maid to go down and give the man who brought the letter a guinea.

Was the compliments a verbal message, or inserted in the note? I am certain the note was inclosed in an envelope; I never recollected to speak certain as to there being a note on the paper, because I thought there was a finish of the thing, and that nobody would ever call upon me about it, but I think I read Dr. Thynne's compliments.

Do you know who brought that note to your house? No; it was a man servant, and I considered it to be Dr. Thynne's servant, as he had spoken to me.

Do you recollect at what time of day it was received? In the middle of the day.

You have stated in a former part of your examination, that the exchange was effected within a very few days after the application was made for the exchange; do you allude to the application made by Dr. Thynne to you, or the application made by you to the Commander in Chief? I spoke to his Royal Highness the same day at dinner.

And the exchange was effected within a few days? Yes, two or three days.

Do you recollect how soon after that it appeared in the Gazette? The same day as it was effected it was in the Gazette.

Had you any reason to desire to conceal from the Commander in Chief Mr. Robert Knight's visits to you; did you ever desire him to conceal his visits from the Commander in Chief? I never concealed his visits, or those of any gentleman who ever visited me, from the Commander in Chief.

Were those letters you referred to, taken away before the time that Colonel Wardle had the conversation first with you upon the subject of this inquiry? Yes, I should think they were, because it is some time since.

Do you recollect how long since? No, I do not; but there was nothing of Mr. Knight's business in those letters.

Had you any conversation with Colonel Wardle upon the subject of those letters, before he took them away? No, I had not.

How happened they to be lying in his way? Because I was looking over my papers, going into a new house; I had removed from my mother's, in Bedford-place, to Westbourne-place, and he took up those letters, and said he would take away the packet of love-letters; and he ran away with them.

Do you mean seriously to state, that Colonel Wardle took away those letters without your leave, and without your authority? Yes, he did; but he had run away with many others; which I suppose had induced him to take those nonsensical little notes he had run away with before, and then he told me he would give me those back again, if I wished it; that they were on a different subject to what he imagined them to be; that he was very sorry for it; but he should take care to read them before he gave them me back.

Were those letters, from His Royal Highness to you? No, these might have been one or two of his interspersed; but they were Mr. Donovan's letters, and others.

Do you mean to say they were not the Duke of York's letters that were taken away by Mr Wardle? No, they were not; he has not let me see them once.

How came you to state, that the greatest part of this business has principally been occasioned by those letters having got into the possession of Colonel Wardle? Because he has read them.

Whose were those letters, that he had read, which led to this inquiry? There are more letters than I could really mention or recollect; they are from different friends of mine, and on different subjects, which I suppose led him to make such free use of Mr. Donovan's name.

Do you recollect ever having been offered any money for the delivery of any letters from his Royal Highness, or from Mr. Donovan? Never.

Did you ever place any letters in the hands of any body, with intent to forward and facilitate any negotiation of your own? No, I have not.

Have you never so said to any body? Except to Mr. Adam, who was the confidential friend of his Royal Highness.

Have you never stated, that you had put letters in the hands of any one, for the purpose of facilitating some negotiation of your own? No, I have not; except that once or twice that I wrote to Mr. Adam, I never did, nor never said it to any one.

Have you ever, in point of fact, put any letter into the hands of any one, for the purpose of facilitating any negotiation of your's? No, I have not.

Have you never written to any one, to say that you had so done? To no one, but Mr. Adam.

What is the name of the deputy Judge Advocate, to whom you have referred? His name is Sutton.

At the time when you received the 200*l.* was the Duke of York present in the room? No, he was not.

How soon afterwards did you state to the Duke of York, that Mr. Knight had fulfilled his promise? The same day.

Was it on the same day that you desired his Royal Highness to get that note changed for you? I did not desire his Royal Highness to get it changed for me; he wished it himself, as I could not do it.

What was the name of the servant by whom that note was changed? I do not know, I am sure; it is a very unusual thing to ask servants their names.

WILLIAM ADAM, Esq. a Member of the House, was examined in his place, as follows:

You have heard the account which the last witness has given of the part you took in this transaction; will you give your own account of it? I wish to state to the committee, in answer to the question put to me by the honourable and learned gentleman over against me, that, I believe, in the year 1789, I was first desired by his Royal Highness the Duke of York to look into some concerns of his. From that time to the present period I have continued my attention to those concerns, and I have continued it upon the ground that I stated the other night to the house; namely, that it is not professional, that it is not attended with any emolument whatever, but it has been perfectly gratuitous on my part. I felt it a duty, when engaged in it, to discharge all of it, and every part of it, with as much fidelity, and accuracy and attention as I could. It came to my knowledge, late in the year 1805, that the husband of the person who has been examined at the bar, threatened an action for criminal conversation against the Duke of York: it was necessary to inquire into the circumstances of the case; and it fell to my lot, from the communications which I had had upon other subjects with his Royal Highness, and from the intercourse which had constantly and invariably subsisted (if I may use the expression) between his Royal Highness and myself, that I should give directions for those inquiries. In the course of these directions, and in the matter that was laid before me in consequence of the investigation, I had reason to believe, that the conduct of the person who has been examined at the bar had not been so correct as it ought to have been, and that it had a tendency to prejudice his Royal Highness's interests, not his character in a military point of view, or in a public capacity, but his interests and his name with regard to money: This led to further inquiry; and I conceived it to be my duty to intimate the result of these things to the Duke of York: I found the Duke of York not inclined to believe that there could be any thing wrong in that quarter, and that he continued of that opinion almost to the last, till the very close of the connection; and that the connection, as the facts will shew, closed in consequence of his conviction, that that investigation had disclosed the character of the person who has just been examined. The transactions of a pecuniary nature, which, as I have stated, had no relation to any thing like the subject of this inquiry; these transactions came to be brought more directly home to his Royal Highness's attention by a fact which I could state, if it were fit, according to the rules of evidence; but it would be stating hearsay evidence, and that hearsay evidence of the party whose conduct is the subject of inquiry: I state it merely to make my evidence intelligible. I then directed the enquiry more at large, and had an accurate investigation made by employing Mr. Lowton, an eminent solicitor, who employed Mr. Wilkinson, as the person that he generally gets to superintend business until it is brought forward in proper shape, he not having leisure for those parts of his business. By Mr. Wilkinson, to whom the person at the bar alluded, these investigations were completed; and when they were completed, they were, I think, either upon the 6th, 7th, or 8th of May, 1806, submitted, in detail and in writing, to his Royal Highness, accompanied with the proofs: it was an unplea-

sant task, because it is not pleasant to state to any person that which is contrary to their inclinations and their feelings: but it was a thing that I thought I was bound, in the discharge of my duty to the Duke of York, to do exactly in the manner in which I had received the information. This information was considered. In the course of it, his Royal Highness wished that I should have an interview with the person who has just been examined; I accordingly agreed to have that interview, because I considered that no unpleasantness that might afterwards, or at the time, arise to myself, should prevent me from following up the business, and extricating that Royal Person from the person with whom he was at that time connected. Upon the score of those representations, I had this interview: it was an interview not of very long duration; but, of course, I conducted the conversation to those points which led me to discover how far, with perfect accuracy, there was truth or falsehood in the information which I had obtained in the manner I have stated. It had been represented to me, that this person had defended an action as a married woman, having obtained the property for which the action was brought in the character of a widow. Investigation was made with regard to the place of her marriage; and it was found she was married a minor at Pancras. She had represented, at different times, that her mother was of a family of the name of Mackenzie; that her father was named Farquhar; that they lived in the neighbourhood of Berkhamstead, and that accounts would be had of the family there. The Berkhamstead Register had been examined with that view, and it was examined with accuracy for forty years back. In the course of the conversation I had with her in the first interview, I took occasion to ask her where she was married; and she stated to me, seriously and distinctly, that she was married at Berkhamstead. I then took occasion to put some questions with regard to the register at Pancras; and I took occasion likewise to state what I knew with respect to the registers of births, burials, and marriages at Berkhamstead; and, from the impression it made, I came away with a conviction in my mind that those facts which had been stated to me upon the investigation I had directed were correct and true; because no doubt remained upon my mind from her demeanour and conduct upon that occasion. She stated seriously that her marriage was at Berkhamstead. She likewise stated, in that conversation, that her husband was a nephew of Mr. Alderman Clarke, now the Chamberlain of London. I know, from the same investigation, that that was equally incorrect with the other. In a few days after this, his Royal Highness's mind being made up to separate himself from this person, I was again asked by his Royal Highness, whether I had any difficulty in undertaking the communicating to her his determination. My being to wait upon her was announced in a short letter from the Duke of York to her; and I, accordingly, from the same motive which I have already stated, and feeling it to be a duty, as I had commenced the transaction which was to lead to this, not to flinch from any personal inconvenience, or any unpleasantness which might arise at the time, or in future, to make the communication; I made the communication, and I accompanied it with this declaration, that the Duke of York thought it his duty, if her conduct was correct, to give her an annuity of 400*l.* a year, to be paid quarterly; that he could enter into no obligation in writing, by bond or otherwise, that it must rest entirely upon his word to be performed, according to her behaviour,

and that he might therefore have it in his power to withdraw the annuity, in case her behaviour was such as to make him consider that it was unfit it should be paid. That was the nature of the proposition which I made, and no other. The conversation lasted for a very short time. I left the lady, and I have not seen her from that time to the present moment. These circumstances seem to me in the narration, all that is necessary to be stated with respect to that part of the transaction in which my name has been so frequently used. There are, however, two other matters, the one in which my name was used when it was first introduced, and the other respecting a particular person, upon which I wish to state the facts to the committee. I did, at some time in the year 1808, receive a letter, I think the 11th of June; I will not be quite sure about the date, but I think it is marked, in my own hand, the 11th of June, 1808, which is the letter which has been alluded to. I am not in possession of the letter, I gave it into the same custody that had the papers which constituted the investigation I have stated; that letter I shall state nothing of the contents of; I only mean to say, that letter is in a situation to be produced, and, I suppose from what has passed, there will be no necessity for any thing more. The other fact to which I wish to speak, is with respect to the persons whom I employed. With respect to Mr. Wilkinson the committee have already heard the manner in which he has been employed, and those who know him, know his capacity for that employment. With regard to the other person, of the name of Taylor, I can only say that I never happened to see that person in the whole course of my life. If, in what I have stated, in which the facts only can be considered as evidence, but which I have endeavoured to make intelligible by connecting circumstances, any thing has arisen for any question to be put to me, I am most anxious that all, or any, gentlemen in the house should call upon me to answer it. The separation took place upon the 11th of May, 1806; the transaction, which has been examined, took place in July, 1805.

Did you guarantee this annuity? Never; I stated that it was to depend entirely upon her behaviour, and not to be guaranteed, because the Duke of York was to be at liberty to withdraw it, in case of her behaviour rendering it proper so to do.

Was the promise, whatever it was, made to her in a letter written by you? That was what I stated in conversation.

When you announced the separation, it was not by conversation; but by a short letter written to her? I did not state that the short letter was written by me, but that the short letter was written by the Duke of York. On subjects of this kind, not having had any opportunity of refreshing my memory, I may not have been perfectly correct in trifling particulars, but now I can state, that the only letter I ever wrote to her was a very short note, that I was coming to wait upon her in consequence of the Duke of York's wishes that I should do so.

Did Mrs. Clarke appear exasperated at the separation? She appeared very much surprized at the communication; she did not appear exasperated; but she declared her determination to see the Duke of York again; and I recollected, from what she said, that she expected to be able to prevail upon him to receive her again under his protection.

Did she know that you had been active in explaining the nature of her conduct to the Duke of York? I had every reason to believe so, I do not know it of my own knowledge.

OWYLLYM LLOYD WARDLE, Esq. a Member of the House, was examined in his place, as follows:

Had you only one short conversation with Mrs. Clarke upon the subject of to-night's inquiry? That is a difficult question to answer exactly, there are such a variety of cases I have talked over with her from time to time. I do not know exactly the time when I talked this case over with her; I had heard of it before, and, in short, got out of her more than she told me voluntarily. She attacked me very warmly with respect to another case which I mentioned, and I believe she spoke generally of the whole. When the matter was talked over between us, I took my pen and ink, and entered everything which passed in a book. I do not believe that I have altered any part of what I entered. I believe I never had but one pointed conversation on this case; whether, in speaking of other cases, I have touched upon that, I cannot say; the case has remained in that book ever since; and I took a copy the other day, from that book, of what I had written.

What you stated to the house, was what you had collected from Mrs. Clarke? What in part I had collected from Mrs. Clarke, and in part from other quarters.

Did you state to the house any thing as having passed between Mrs. Clarke and those persons who were immediate agents in this transaction, except what you collected from her? I fancy, a good deal. I know some points; but I believe a good deal of the main points were stated from the book, which I had written, when I had conversed with her upon the subject.

Did she state to you that this passed on the 25th of July? No, she did not, certainly. I do not think she was at all aware of the positive date. I remember, at the time of the conversation, she mentioned the circumstance of Lord Chesterfield's christening, and seemed guided by that; that his Royal Highness was going down to that christening; and, by that, she made out the period to be in July, when the transaction took place.

Upon what authority did you state, with particularity, that this took place on Thursday the 25th of July; this agreement for the 200*l*.? She, upon taking note of that christening, and taking note of the gazette also, was positive then in her assertion (I remember perfectly well) that the thing was proposed on the Thursday, and done on the Saturday; that was her positive assertion, from the first to the last; and that it was that led me to state it.

I understand you to have stated, that she did not state it to be on the 25th? She did not, in the first instance; the gazette was found, and the moment it was looked into, she was so positive as to the Thursday and the Saturday, that no doubt remained upon her mind.

Have you a particular recollection, that it was at last brought to the Thursday, the 25th of July? I have really no further recollection; I have no other guide.

Do you remember that it was the Thursday preceding the Saturday on which the gazette was published? I do not know how to make the matter clearer; these were the two points that guided me in my assertion; if I was wrong in my assertion, it was a blunder arising from that.

Is the committee to understand, that, while Mrs. Clarke and yourself were seeking to fix the day on which this transaction took place, the gazette was found; and, that finding the date of that, and considering the time which had preceded it, you fixed the date on which the offer was made to be on the Thursday preceding? I mean merely to assert, that, from the evidence Mrs. Clarke gave me, and from the information I got from the gazette, I fixed that it must be on the very day I mentioned; I had no other guide to go by of one description or another; and I do not see that I am to stand here, however willing I may be, after the very heavy examination which that witness has gone through, which, I believe, many gentlemen think with myself, must tire any gentleman; I do not feel myself disposed to submit to the same sort of discipline; she never did, to the best of my recollection, give me any other date than that I have mentioned, the christening of my Lord Chesterfield; and I remember her stating, that the thing was petitioned on the Thursday, and done on the Saturday; more than that I really do not recollect on the subject. Any question which I can answer, I shall be willing to answer, but I do not know how further to answer that. I afterwards inquired, and ascertained, when that christening was; and, from that and the gazette, I mentioned the date, which I thought was correct; whether it was or not, I cannot state.

The gazette was referred to as a medium of proof at that time? No, I referred to the gazette since.

Was that in the presence of Mrs. Clarke? No, it was not.

Was that circumstance communicated to her? Not by me; I do not know that it was.

I understood you to have said, that you and Mrs. Clarke, upon referring to the gazette, and other circumstances which occurred to you, fixed, that the time must have been about Thursday, the 25th of July? Then I said what I did not mean; the conversation was respecting the christening; I made enquiry when the christening was, of a friend or two of my own; and I mentioned it from that: whether between that period and this I may have named the date to her, or she got it from another quarter, I cannot say; that of the three days was all the information that I obtained from her as to the date.

Is it true that you took away some papers from Mrs. Clarke against her will, and without her consent? I certainly did take some letters away from Mrs. Clarke, which I did not believe she exactly approved at the moment; I did it in that sort of way, there was no force in the business; but amongst papers, she was in the habit of giving me letters respecting the cases; and she gave me one or two of Mr. Donovan's: there were one or two of Mr. Donovan's, and one or two of light moment from another quarter on the table. I said, I will take this away; and she said, those are from a friend of mine, and he must not be touched; that made me curious about the letters; and they were certainly letters of very great moment: I have had them in my possession ever since.

Mrs. Clarke had been in the habit of communicating letters to you upon this subject before that time? One or two letters, not relative to this case; but one or two letters much about that time, just about that period, she communicated to me.

Relative to the Duke of York? No, not relative to the Duke of York; that had nothing at all to do with this business.

Why was it that he was not to be touched? It was Mr. Donovan,

Did Mrs. Clarke ever state to you, that she had stated to his Royal Highness the Duke of York her wishes to go into the country, and that those wishes might be gratified without any expence to his Royal Highness, as an opportunity had occurred to her of obtaining the sum of 200*l*.? No; she stated to me, to the best of my recollection, that she wanted to go into the country; that she told his Royal Highness that there was 200*l*. could be had for that exchange, and that she got it, and went in consequence. I do not recollect any thing further.

Did she inform you that she had stated this to his Royal Highness the Commander in Chief, previous to the receiving the 200*l*. and with a view to obtain his Royal Highness's consent so to receive it? I understood that she had stated, three days before the occurrence took place, that she should have a pecuniary consideration; that that pecuniary consideration was 200*l*. and that she went into the country immediately after she received it. I understood her, that she had told his Royal Highness that a pecuniary consideration was to be given for the exchange, and that that pecuniary consideration proved to be 200*l*.; that that was told him on the day when the application was made, which I understood from her was three days before it took place.

Three days before the person was gazetted, or three days before the 200*l*. was received? Three days before the person was gazetted; I understood the person was gazetted, and the money was received, on the same day, or the next day.

Did Mrs. Clarke state to you, that she had stated to his Royal Highness the Duke of York, previously to her actual acceptance of the offer of 200*l*. that such an offer, in fact, had been made to her, and that the acceptance of it would enable her to go into the country, which she desired to do? I understood from her, that when she made the request to the Commander-in-Chief, she had mentioned to him that she was to receive a pecuniary consideration; as to the going out of town, that was a fixed thing before; they were both going out, as I understood; but in justice to her I will state what I this moment recollect, that a few days ago, alter my motion, she stated that I had been very incorrect, if the papers stated truly what I said, and whether it was that, or what other circumstance, I will not undertake to say; but to the best of my recollection, I understood from her, that on the day she made the application, she gave the Commander-in-Chief to understand, that a pecuniary consideration was forth-coming for the exchange.

Did you receive any other information from any other person than those who have been examined here to-night, and Colonel Knight, as to this point, upon which you founded the statement which you made to the house? I had, as I before stated to the house, had other information from other quarters; it will not become me to state to the house who those persons were; that I conceive would be very indecorous.

Did that expression which Mrs. Clarke used to a particular person, who was not to be touched, imply that there were some proceedings to be instituted concerning some other persons? I have no reason to think that she meant any more than exactly what she said, that when I got hold of those letters, she knew I was possessed of facts that would touch Mr. Donovan: I do not think she connected any other matter with it.

With respect to these letters which you carried away from Mrs. Clarke's, has Mrs. Clarke since made frequent application to you for

those letters? Yes, she has; and was very much enraged with me, particularly for having said what I did respecting Mr. Donovan.

Was the conversation which took place on Saturday, the conversation to which you alluded, in which you received the information upon which you proceeded? That was subsequent to my motion.

Did you see Mrs. Clarke yesterday? I was at her house late last night, about nine o'clock; I was in the drawing-room for a few moments, there was company with her.

Did you see Mrs. Clarke yesterday? Yes, as I have said before, I was in her drawing-room, when she had company last night.

She was in that drawing-room? Yes, certainly.

Is it possible that she should not have seen you in the drawing-room at that time? No, it is totally impossible.

I understand you to say, that being informed that the gazetting took place within two or three days after the original order, you provided yourself with the gazette of Saturday in which that appointment appeared, and so, calculating backwards, fixed Thursday as the day on which the proposition had been made? I understood from the first, that it was on the Thursday that the exchange had been applied for, and that the business was completed on the Saturday; that is entered in my book in the first conversation, that she understood it was gazetted on the Saturday, or in two or three days.

The gazette in which this is announced is dated on the Tuesday? Yes, I am perfectly aware of that fact: that is a blunder of her's; but I never heard any one thing to make me doubt that it was so till to-night.

Being asked whether you were not at Mrs. Clarke's yesterday, you answered that you had been there about nine o'clock in the evening; were you not at Mrs. Clarke's house at any prior hour of yesterday? I called at Mrs. Clarke's yesterday morning, she was not at home; I returned in the evening, and had a conversation with her for a few minutes.

Did you merely call at Mrs. Clarke's house; did you not go into it, and wait a very considerable time at Mrs. Clarke's house? I was up in Mrs. Clarke's drawing-room for some time in the morning, I did not see her then, but I saw her in the afternoon.

WILLIAM ADAM, Esq. was again examined in his place as follows:

Having mentioned the annuity which was conditionally promised, can you state whether that annuity was actually paid, and if so, for how long? I can state nothing respecting the payment; I had nothing at all to do with it; I never heard any thing of it from the time when I had the second and last interview.

You have stated, that the annuity was to be continued so long as Mrs. Clarke's conduct was correct; will you have the goodness to explain that term? The term I used I meant in this sense; that her conduct was to be such as not to have any reference to any pecuniary transactions, such as I stated to have been the cause of the investigation, and the subject of the subsequent communication to her by me, that the Duke of York was to have no further connection with her; and I stated in my evidence, that at that time, nor at any time till recently, had I any notion that there were any transactions of this kind in which she had been in any way concerned: Those pecuniary concerns to which I alluded, were the use of the Duke of York's name for the purpose of rais-

ing money, so as to involve his credit and character, but not by the sale of commissions.

Do you mean by getting in debt with tradesmen, and borrowing money? Any mode by which she could raise money.

Did you ~~continue~~ from the year 1806, to have the management of his Royal Highness's finances, and his money concerns? I had not, properly speaking, the management of any part of his Royal Highness's. But I wish to mention this to the house;—the Duke of York, from causes which it is unnecessary to refer to, found his circumstances embarrassed; at a very early period he applied to me to look into them, and to get matters arranged: he appropriated to that arrangement, as soon as his income was such as to enable him to afford it, a very large sum of money, annually, 12,000*l.* a year, that was put under the administration of Mr. Coutts and myself, as trustees for the creditors, to settle the payments. From the circumstance of the Duke of York being a mere annuitant, and from other causes, which I should be extremely glad to explain, to render my evidence intelligible, particularly from one cause, that in the arrangement of his estates he had cast upon him the expense of a large inclosure, which by act of parliament he was bound to see executed, which took a great deal of money, and his being under the necessity of buying tythes to a large amount, together with the property tax coming on him, we were not enabled to operate the redemption of the debts by the payment of 12,000*l.* a year; it was therefore the Duke of York's wish to appropriate a larger sum; this was done, and it is still to go to a greater extent, in the hands of Mr. Coutts and myself, for the same purposes. These are the monies which come within my management, and no other. I know nothing about the Duke of York's private expenditure; I know nothing about the pension he pays to any one, but only the fund raised for the payment of debts, and also that for the reduction of the debt he owes to the public, a sum lent to him from the civil list, when Mr. Pitt was minister, and which Mr. Pitt and other ministers suspended the payment of to a certain time, and which was last year begun to be paid: a fund was vested in me for the payment of 4,000*l.* a year of that; this will extend to the sum of from 26 to 30,000*l.* a year; and when it is considered that the income tax falls upon that, as well as the whole of his other property, I believe that his Royal Highness will be found to give up as large a sum of money as his present circumstances will afford. These are the only funds which fall under my knowledge; and therefore it is impossible for me to know whether a pension is paid to this or that person, and it is not correct to suppose that I am in the administration of his affairs further than I have stated.

Did Mrs. Clarke apply to you at any time since 1806 for the payment of this pension? It is extremely difficult for me to state positively that she did not, but I believe the two letters which she mentions are the only letters I have ever received from her. I cannot undertake to say, in the variety of transactions I have, that there were no others; the prominent letter was that of the 11th June, 1808, which I immediately indorsed, and delivered over to Mr. Wilkinson.

COLONEL GORDON.

Do you hold any office under the Commander in Chief? Yes, I do. What is it? His military or public secretary.

Does the business of exchanging commissions pass through your office? It does.

Can any transaction of that nature pass without your knowledge? It is quite impossible.

Do all the documents by which the persons, who apply to exchange, are recommended, pass through your office? They do.

Do they pass first under your examination and consideration? Generally; I might almost say always.

Do you report the result to the Commander in Chief? Most undoubtedly, without fail.

How long have you held the office that you do at present? About four years and a half.

Did you hold it in 1805? I did.

When any exchange has obtained the approbation of the Commander in Chief, is there a minute made of it? Always.

After that, are the commissions made out pursuant to that minute? After an exchange, or any commission has obtained the approbation of the Commander in Chief, it is immediately submitted to the consideration of his majesty; after his majesty's approbation and signature has been affixed to the paper so submitted, it is sent to the Secretary at War, for the purpose of having commissions made out corresponding to the names placed in that paper previously submitted to the King and then to be put in the Gazette.

Are the commissions also signed by his majesty before they are gazetted? No; perhaps I should explain, that they are made out in the war-office after the gazetting; the gazetting is the immediate act following the signature of the king, a notification to the army, that his majesty has approved of those appointments, and he desires his Secretary at War, to prepare the commissions accordingly: they are made out more at leisure.

You will see mentioned in the gazette the exchange between Colonel Knight and Colonel Brooke; when did that exchange receive the approbation of the Commander in Chief? On the 23d July, 1805.

When you say that that approbation took place on the 23d of July 1805, you refer to some document in your hand; is that any memorandum made in your office? It is.

Is it the course of your office, that, when the approbation of the Commander in Chief is signified, there should be a memorandum made of it? I think I may say invariably.

Was the approbation of the Commander in Chief to this exchange finally obtained on the 23d of July? It was.

Do you keep records in the office of all the applications that are made for promotions or exchanges? Yes, I do, very carefully; and every paper of every kind, and every sort, that comes into that office, I preserve with the greatest possible care.

Is that paper which you hold in your hand, the original document which is brought from your office? Yes, it is.

That which you hold in your hand being the original document which you brought from the office, is it also the document to which you just looked, and declared that the approbation of the Commander in Chief was obtained on the 23d? Yes; it is the only paper I have looked at since I entered this house, except the gazette.

You stated, that you keep an account of all the applications that are made for promotion or for exchange, and that that is preserved in the office? I did state so.

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Could you, upon any other occasion, with reference to any other exchange, as you have with reference to this, find the memorandum which denoted the time at which the approbation of the Commander in Chief was procured? Yes, I think I could, with the same felicity with which I have put my hand upon this.

Are you able to state who recommended Colonel Knight and Colonel Brooke for that exchange? This paper, with your permission, I will read; it will speak for itself.

[Colonel Gordon read, and then delivered in a letter, from Messrs. Greenwood and Cox to himself, dated Craig's-court, July 1st, 1805. (a)]

(a) BROOKE'S SERVICES.

Cornet, 8 Dns.	-	29 June	93	Placed on half-pay	Mar.	20
Lieut. 83 F.	-	7 Oct.	93	Bt. Lt. Col.	-	1 Jan. 1804
Capt. Ind. Co.	-	14 Dec.	93	Maj.	48	24 May, 1804
— 96	-	25 Mar.	94	Cancelled	-	9 June, 1804
Maj.	-	13 Dec.	94	Maj.	66	5 Jan. 1805

* 23 July 05

His Royal Highness does now approve of this exchange.

C. L.

cannot be acceded to, His Royal Highness does not approve of the exchange proposed.

Sir,

By direction of General Norton, we have the honour to inclose a form signed by Brevet Lieutenant Colonel Brooke of the 56th regiment, to exchange with Brevet Lieutenant Colonel Knight of the 5th Dragoon Guards, together with a copy of a letter from Lieutenant Colonel Knight, stating, that he is satisfied with the security given for payment of the regulated difference between the value of the two commissions; and being informed the counterpart of the exchange has been sent in through the agents of the 5th Dragoon Guards, you will be pleased to submit the same to Field Marshall his Royal Highness the Duke of York.

We have the honour to be,

Sir,

Your most obedient, humble servants,

GREENWOOD AND COX.

Craig's-court, 1st July, 1805.
Lt. Colonel Gordon, &c. &c. &c.

I beg you will be pleased to obtain for me his Majesty's permission to exchange with Brevet Lt. Col. Knight of the 5th Dragoon Guards.

In case his Majesty shall be graciously pleased to permit me to make the said exchange, I do hereby declare and certify, upon the word and honour of an officer, and a gentleman, that I will not, either now, or at any future time, give, by any means or in any shape whatever, directly or indirectly, any more than the regulated difference.

I have the honour to be,

Sir,

Your most obedient, and most humble Servant,

W. BROOKE,

Bt. Lt. Col. & Major 56 ft.

To the Colonel, or Commanding Officer,
of the 56th Regiment.

I approve of the above exchange, and, I verily believe, no clandestine bargain subsists between the parties concerned.

C. NORTON, Colonel.

* The words in *italics* are in pencil marks in the original.

Is it your course, upon a recommendation of this sort being put in, to enquire into the merits of the applicants? Most undoubtedly, in every case; but particularly in the case of field officers of regiments.

Is it your course to report to the Commander in Chief the result of those inquiries? Invariably.

When the Commander in Chief has ever drawn a different conclusion upon the facts stated, than that which you have drawn, has it always been his course to assign to you a reason for that? I think he has; but if he did not, I should most undoubtedly have taken the liberty to have asked him.

Where, in such a case, no reason has been assigned, are you certain that you have always asked him? Most undoubtedly.

In this case, have you any doubt that you made the necessary enquiries upon the representations made to you by this memorial? None whatever; I am quite positive that I did do so.

Was the ultimate approbation of this exchange the result of those enquiries? I firmly believe so.

Do you firmly believe that it was in consequence of your report to his Royal Highness? Yes, most decidedly I do.

If his Royal Highness, in approving this exchange, had acted otherwise than according to your report, is it possible that that fact could have escaped your memory? It is some time since this exchange took place; but I am much in the habit of transacting business of this kind, and I do not think that it could have escaped my memory.

Would it have struck you as an extraordinary and unusual transaction, if the Commander in Chief had acted contrary to the result that was drawn from the communications made by you, without assigning any reason for it? Unless his Royal Highness had assigned a reason for it, it certainly would have struck me as very extraordinary.

Have you any doubt, upon refreshing your memory as well as you can, by all the papers you have, and recalling the facts to your recollection, that the approbation of his Royal Highness was gained to this exchange, as the result of the memorial presented to you, and the inquiries made by yourself, and communicated to his Royal Highness? I cannot doubt it for a moment.

This representation, I observe, is made on the first of July, and it is not completed till the 23d; do you find that there was any delay in bringing the business to a conclusion, and that it was at first stopped? Yes, there was; and it was stopped.

Are you now able to state, from your recollection, upon what ground it was at first stopped? To the best of my recollection, it was stopped upon this ground; upon referring to the services of the respective officers, as is invariably the practice, I found that the services of Lieutenant-colonel Brooke, for the last seven years, had been upon the half-pay; consequently, it became necessary to make more than usual inquiries respecting Colonel Brooke, before he could be recommended for the situation of major to a regiment of cavalry; when those inquiries were made, and I was satisfied that Colonel Brooke was a fit and proper person, I made that report to the Commander in Chief; and, as I have said before, I believe it was upon my report so made, that the Commander in Chief acceded to the exchange.

Are you quite sure that there was no difficulty or rub on the part of Colonel Knight? I am perfectly sure; if the house will permit me, I will read my answer to Colonel Knight upon this subject.

[Colonel Gordon read, and then delivered in, a letter from himself to Colonel Knight, dated the 21st June, 1805, viz.]

"Horse Guards, 21st June, 1805.

"SIR,

"Having laid before the Commander in Chief your letter of the 19th instant, I am directed to acquaint you, that his Royal Highness has no objection to your exchanging to the Infantry, receiving the difference; and when an eligible successor can be recommended, your request will be taken into consideration.

I am, &c.

(Signed) J. W. GORDON."

Bt. Lt. Col. Knight,

5 Dgn. Gds.

The eligibility, therefore, must have depended upon Colonel Brooke.

Then I am to understand from you, that Colonel Knight had made an application to exchange, previous to this memorial presented by Greenwood and Cox, in the name of General Norton? Yes, he had.

And that by this letter of the 21st of June, it was signified to him, that his proposal was accepted; that is, that the exchange so far as regarded him was accepted, if an eligible successor was found? Certainly.

You are satisfied that the delay arose from the doubt with respect to Colonel Brooke? I have so stated it.

Have you any doubt that you pursued the necessary inquiries for clearing up that difficulty? None, whatever.

Have you any doubt that the approbation of the Commander in Chief was ultimately obtained, in consequence of those inquiries having cleared up the difficulty? None, whatever; I understood that I had stated that before.

Was there any greater delay in this case, than was necessary for the purpose of prosecuting such inquiries? None, whatever; similar delays occur in similar transactions, almost every week.

Was there any thing, from the beginning to the end of this transaction, which distinguishes it from other transactions of the same sort, relative to the same kind of exchanges? Certainly not; I was much surprised when I heard of the difficulty first started in this honourable house, about three nights ago.

Is any conversation that you have had, upon the subject of this exchange, with the Commander in Chief, do you recollect a wish being expressed, that the conclusion of the exchange might be expedited? No, certainly not; the expression of such a wish would have been very futile, for it would not have expedited the exchange one half instant; it would have gone on in the usual course.

Do you recollect instances upon the part of the Commander in Chief, since you have been in office, tending to create a greater expedition than the necessary course of official business permits? Never in the current business of the office. I beg to explain to the House; the common business of army promotions is laid before the King once a week, and never twice a week, when any expedition is fitted out, and that officers are suddenly appointed to such expeditions; then, and then only a separate paper is submitted to his Majesty, with their names exclusively, and they are not included in the common weekly paper.

Are the committee to understand, that, in the ordinary course of military promotion or exchange, the office is always permitted to take its course? Invariably; I never recollect an instance to the contrary.

You have stated, that Colonel Brooke had been for seven years on half-pay; in proportion to the length of time that an officer has been upon half-pay, and consequently been moved out of sight from ordinary military observation, is it not necessary that there should be a much longer period of inquiry to discover what his conduct has been? Perhaps it may be so, but I cannot exactly say that, as I am in the habit of seeing twenty, thirty, and forty officers in the army almost every day in my life; and generally, from some of those, I can ascertain particulars respecting any officer I choose, and that without letting them know the purpose for which I require it.

Was the period of time required for this exchange beyond the ordinary period in such cases? Certainly not.

Did the Commander in Chief ever state to you, or did you ever hear that he thought that one of these persons, either Colonel Knight or Colonel Brooke, was a bad subject? I never heard him express any such thing.

Can you take upon yourself to say, that no opinion of the Commander in Chief's, that one of these was a bad subject, was the occasion of any delay in the completing this exchange? Yes, I certainly can; the Commander in Chief is very cautious in expressing himself so strongly on the conduct of any officer: if the Commander in Chief was to express himself so strongly upon the conduct of any officer, I should conceive that there was something in the conduct of that officer that required more than common inquiry.

Then are the Committee to understand, that no more nor further delay took place, than that which was necessary to complete the inquiries, which you thought it your duty to make? Certainly.

As you were in office at that time, supposing the negotiation between Colonel Knight and Colonel Brooke to have gone off in consequence of the objection made to Colonel Brooke, or from any other cause; was it probable that Colonel Knight might have had to wait some time before he might have had another eligible opportunity of making an exchange? Yes, I think he might.

What day of the week is it that the lists are generally sent in to the King? They are commonly submitted by me to the Commander in Chief on Wednesday; they are submitted to the King on Thursday; and if they come back on Friday (which nine times in ten they do) they are gazetted on Saturday; if they do not come back in time on Friday, they are gazetted on the following Tuesday.

Did you keep any memorandum of the inquiries you made respecting the exchange between Colonel Knight and Colonel Brook? None whatever.

You have stated, that the application to the Commander in Chief for this exchange was communicated on the 23d of July; when was that application to the Commander in Chief submitted for his Majesty's approbation? The date is accurately marked upon the original paper: it was submitted to the King upon the 24th, as you will find, by reference to the paper on the table.

When did it appear in the Gazette? The Gazette is dated July 30th. Then the approbation of the Commander in Chief was signified

seven days before it appeared in the Gazette? Allow me to mark this distinction: the approbation of the Commander in Chief is never signified to any body, until the King's pleasure has been subsequently obtained upon it.

I understood the Commander in Chief consented to this exchange on the 23d; that on the 23d it was known to you; that you then prepared the proper communication to be laid before his Majesty, but that communication was submitted to his Majesty on the 24th; that on the 24th his Majesty signified his approbation, and that it did not appear in the Gazette till the 30th, being seven days after the Commander in Chief had given his consent, and six days after his Majesty had confirmed that consent? Exactly; I beg it may be understood, that after his Majesty's signature is affixed to a paper of promotions, it is part of my duty to make such of them public as may be necessary. The Gazette is a notification, but it is not a ratification; the thing is finally done before it appears in the Gazette.

You have stated that being in the habit of seeing twenty, thirty, or more different officers every day, you take a proper opportunity of collecting from them the character and conduct of those whom you see occasion to inquire into; is it your habit to make minutes of the result of those inquiries? There scarcely a day passes over my head that I have not occasion to obtain information of that nature; but to make a minute of it would be absolutely impossible, I mean to any extent: I could not carry on the business.

Between the first of July, when the application was made on behalf of Colonel Brooke, and the 23d, when it received the sanction of the Commander in Chief, did any conversation pass between yourself and the Commander in Chief, otherwise than that which originated in your addressing yourself to the Duke upon the subject in the ordinary course of office? To the best of my recollection, certainly not; I speak more decidedly upon this point, because I am in the habit of laying numbers of papers before the Commander in Chief, and of confining my conversation strictly and exclusively to the matter before us.

If his Majesty's approbation was received on Wednesday, why was it not notified in the Saturday's Gazette? I think I have said before, that if the papers were returned from his Majesty in time, it would have been gazetted on the next day; I take for granted, therefore, that they were not returned in time.

What space of time was there between your making your report of the inquiries made by you respecting Colonel Brooke, and the Duke of York's directing you to make out the necessary papers for the King's inspection? I think I have stated, that I received the expression of the Commander in Chief's pleasure on the 23d; the papers were made out for his Majesty on the 24th,

What time elapsed between your making the report of the inquiries respecting Colonel Brooke to the Commander in Chief, and the Commander in Chief giving his consent? A reference to the paper on the table will explain the dates.

Did you make your report on the same morning that the Commander in Chief gave his consent, and directed you to make out the necessary papers? I beg pardon, but I do not comprehend that question.

When did you state the result of your inquiries respecting Colonel

Brooke? I have already stated, that I made my report to the Commander in Chief on the 23d, and received his pleasure upon it.

Upon casting your eye over the Tuesday's Gazette, can you tell whether there are any promotions or exchanges in the Tuesday's Gazette which received his Majesty's approbation at the same time as the exchange in question? I beg to state, that I firmly believe it is the usual practice, at least, that every exchange, and promotion and appointment, went in the same paper before the King.

The Chancellor of the Exchequer now proposed that the committee should adjourn till Friday next, giving the honourable member (Mr. Wardle) an opportunity to collect his other witnesses; for the remainder of the evidence on behalf of his Royal Highness was very short. The right honourable Chancellor was convinced that the honourable member would not consume a day more of the time of the house than was necessary, and as he had several more charges to prove, the right honourable Chancellor would take the liberty of asking upon which he would next enter.

Mr. Wardle replied that this must depend upon the arrival of Captain Huxley Sandon with the royal waggon at Portsmouth, and of General French from the West Indies.

Mr. Adam said, that the present was one of the most cruel and severe cases that he had seen for a length of time. His Royal Highness the Duke of York was charged with matters of the most criminal kind; and notice was given of this charge at the earliest period of the session, when military men were absent on duty, or had fallen by the sword, and when those enquiries could not be made, which the honourable and learned gentleman had no doubt would prove that the promotions of those men were equally honourable to those who had fallen, and to those who had made them. Under these hardships, the honourable and learned gentleman thought that the house had a right to ask whether the honourable member had not some witnesses ready to be called on Friday; and especially as the committee had now taken the trouble to go through a tedious examination of six or eight long hours. The honourable member would recollect, that there were other charges which he had to establish; and if the committee were told of the non-arrivals of Captain Huxley Sandon and General French, they would have no reason to think, but that there was more of charge without foundation in the honourable member's inquiry, than of proof altogether. The honourable member therefore, should be

required to select some one charge upon which the committee might immediately resume their proceedings. If the honourable gentleman had taken the advice of any other member upon his present enquiry, he would not have been so rapid in giving his notice, and in saying things that remained upon persons without immediate confirmation or refutation. Many of the persons mentioned in the opening of the honourable member's charge were known to be in London; and therefore his Royal Highness was not to be placed in the cruel situation of suspense. If ever it was at all desirable that justice should be administered quickly, it was so in a case where the honour of the second subject in the realm was impeached.

Mr. Wardle said, that there was one charge (that respecting Captain Maling) upon which he was prepared to go at once.

The house was then resumed, and it was ordered that the present committee should sit again on Friday next.

Ordered that the minutes of the evidence taken before the Committee be laid before the house.

Mr. Wharton brought up the minutes accordingly, which were ordered to be laid upon the table, and printed.

HOUSE OF COMMONS,

THURSDAY, FEB. 2.

The Speaker acquainted the house, that he had received a letter from Admiral De Courcy, in answer to that which he had written to that gallant officer, communicating to him the thanks voted by this house, and which he now read. It contained the acknowledgment of Admiral De Courcy of the high honour conferred upon him.

DISTILLERIES,

Mr. Huskisson presented the bill for prohibiting, until six weeks after the commencement of the next session of parliament, the distillation from grain in Great Britain. — Ordered for the second reading on Tuesday next.

THE COMMANDER IN CHIEF.

Mr. Wardle expressed a hope that he should be permitted to-morrow to examine some further evidence upon the points under consideration of the committee yesterday. He asked leave at the same time to correct an answer he

had given yesterday to the question of an honourable member through mere error of memory. He had stated that he saw Mrs. Clarke but once on the evening of Tuesday last, forgetting at the same time that he had seen her also on the morning of that day for about two minutes.

The Chancellor of the Exchequer said it was competent for the honourable gentleman to explain the circumstance in his place.

Mr. Wardle moved that a proper person from the office of the secretary to his Royal Highness the Commander in Chief, do attend this house to-morrow, with the books containing all applications made by subaltern officers to purchase promotions, within the period that three commissions were given to Captain Maling.

The Chancellor of the Exchequer had no objection to the attendance of any person from the office of the Commander in Chief; but he thought the house ought not to be too prompt in making orders for the production of such books, without knowing whether such were in existence.

Mr. Wardle proposed another motion, for a list of all subalterns so claiming promotion within the time, with a statement of their respective claims; which, after some representations from the Chancellor of the Exchequer and Sir A. Wellesley, he was induced to postpone.

SIR ARTHUR WELLESLEY.

Mr. Whitbread rose to repeat a question he had asked on a former night, in the absence of a gallant officer, now in his place, but to which he was not then able to obtain any satisfactory answer. He wished, therefore, to learn, from the gallant officer opposite to him, whether, while he was fighting the battles of his country on the Continent, he still continued to hold the appointment and salary of secretary to the Lord Lieutenant of Ireland?

Sir Arthur Wellesley said it undoubtedly was the wish of the noble personage now at the head of the Irish Government, that no one should be appointed to that situation during his absence. It was certainly in the power of the noble duke to appoint some other person to fill that situation, if he had chose, during his absence; and he was prepared to expect it would have been done, had his absence continued much longer. But from personal kindness to him, the noble duke certainly retained his name in that situation while he went abroad with the army; and during

the two months he was absent, he certainly received part of the salary of that office ; but then there was some part of that time for which he did not receive the full pay attached to his military situation ; and every man who considered the nature of that situation, must be aware, that it was liable to very heavy increase of expences, which he did not feel himself in a condition to afford. [*Hear! Hear! Hear!*]

Mr. Whitbread said, that although he did not wish to trouble the house with any observation on the subject, yet he should feel it his duty on a future day to submit a resolution to the house, "that the office of chief secretary for Ireland was an efficient office."

MILITIA ENLISTMENT BILL.

Lord Castlereagh rose to move the order of the day, for the second reading of the militia enlistment bill : but as this bill differed nothing in principle from the bill of last year, and as he had so recently given his opinion at length upon its various details, he should abstain from troubling the house in this stage by repeating those opinions, but reserve himself for any objections that might be offered to it.

Mr Elliot wished to know the rate of bounties proposed by his noble friend.

Lord Castlereagh answered from six guineas to eleven.

Mr. Elliot expressed his great reluctance in opposing any bill having for its object to place the public force of the country on that respectable footing on which it ought to stand. His objection, however, was to the system on which the bill was founded. He should not detain the house by going minutely into all its details, but should confine himself to its general heads. It afforded a striking lesson to the house and to the country, on the evil consequences of adopting a bad precedent. Heretofore, previously to the introduction of a similar bill, there was much of detail and preparatory communication with colonels of regiments. But the former measure of his noble friend being adopted, he relied that in this too he should be successful. His majesty's speech, at the opening of the session, certainly recommended to parliament every attention to an increase of the disposable army of the country, without impairing the means of home defence ; but he thought it was impossible to attempt the former

by means of this bill, without materially injuring the latter. He did not condemn the colonels of regiments for their anxiety to adopt the readiest means for filling up the ranks of their corps; but he did most decidedly condemn the principles of a bill the operation of which would inevitably tend to the dissolution of all discipline both in the regular army and militia, as well as to the injury of morality throughout the country; for such would be the effect of high bounties given to the recruits from the militia to the line, and to the substitutes who were to fill their places in the militia ranks: the necessary consequences of which, as experience had shown, would be intoxication and riot: such effects could not fail to produce disgust in both army and militia, and to exclude from both, as it had already done, officers of that class and description, which should characterize the service. So long ago as the peace of Amiens, he was decidedly of opinion that the militia of the country ought to have been reduced to its original standard as a *maximum*; and it was now found that a departure from that principle, ever since the commencement of the present war, had involved the country in all the evils which had been suffered under the militia system, viz. the oppressive effects of ballots upon the people, the enormous increase of bounties to substitutes to so high a rate as 18*l.* 20*s.* and even 50 guineas: the severe effects of this upon the ballotted men who could not leave their homes and families to serve; the profligacy produced amongst the men who became substitutes; the constant temptations held out to them to desert from one regiment, in order to obtain the bounty in another; the heavy punishments for desertion widely increased, and such impediments thrown in the way of the regular recruiting service as to render almost impracticable the raising of men for the regular service, even at triple the usual bounties. He recollected the former plan proposed by Mr. Pitt, of which that minister was so fond, that it was deemed by his friends an infallible specific to increase the army of the country, a kind of talisman, which, if any man touched, the enchantment was to be dissolved. But no sooner had his noble friend come into power than he totally departed from that plan, and resorted to the supplementary militia, from which all the mischiefs of increased bounties took their rise. By the present bill, the militia officers

were required to recruit at a bounty of ten guineas, for which it was obvious that under the increased system of bounties, men could not be had. But then his noble friend had an expedient to let out, a little ballot, in case the bounty should fail, to be inflicted on the county where the quota of men could not be induced to enlist within a given period; and then as a remedy to the ballotted man, who could not find a substitute at half price, the ten guineas were to be given in aid. But this ballot coming on the heels of that for the local militia, could not fail to create general discontent, inasmuch as it was not a regular tax, but must weigh oppressively upon individuals. He wished the house would have an opportunity of obtaining such a document as the expence entailed upon the people in consequence of militia ballots, and the allowance to militiamen's families. It might be said, that those allowances would cease when militiamen were transferred into the line; but would not the burthen be upon the parishes, by the new shape it must assume in poor rates for the maintenance of those families; yet such was the effect of this "cheap defence of nations." The honourable member next compared the effects of this plan with those of the plan proposed by a right honourable friend of his, not now in his place (Mr. Windham), and which proposed to recruit men for limited service instead of life: a plan, the principle of which was founded on the feelings of human nature. He was ready to admit, that for the first four or five months it was in operation, the preference for unlimited service preponderated. But in the remaining seventeen, out of the 19,072 raised, 14,301 enlisted for limited service. In the last, the number of men transferred from the militia to the line in England was 19,152, and of these between 16 and 17,000 were for limited service. In Ireland he would allow the effects were different, and the proportion for both was about half and half. Whether this was attributable to a more valourous spirit, or a less calculating mind, he could not determine; but it was a fact, that out of 27,000 men, raised in 1807 for general service, about 19,000 were for limited service, a clear proof that had that principle been adhered to, and not abandoned for the purpose of introducing that now proposed, the country would not only have avoided all the evils experienced

both by the country and the army under the balloting system; but that the force of the line would have been increased to any extent necessary, with a saving of nearly one half of the expense.

Colonel Wood contended that the recruiting of the regiments of the line from the militia ranks, was the most prompt and efficacious mode of rendering the former what they ought to be, and of rendering the physical strength of the country formidable and victorious over the enemy. The recent victories in Portugal and Corunna were achieved by the men recruited from the militia ranks, and it was by transferring those men to the line, that they could acquire that military perfection which was not attainable in the home service. The honourable member had spoken of the communication, heretofore deemed necessary, with the colonels of militia regiments, before a measure of this kind was adopted. But he could assure him that, whether the colonels of militia, who then objected to this principle, had from experience surmounted their prejudices, or become better soldiers, they had not now the same objections; for they saw that the men trained by their exertions were more serviceable to their country in the line than they could in the militia, and therefore they thought nothing of the trouble imposed on them by this arrangement, and had long abandoned those local prejudices for retaining their men, which heretofore prevailed. The honourable member had said that by this practice that class and description of officers which should characterise the militia service, would be disgusted from entering it; but he would say it was impossible to obtain this desirable class of officers for the militia, unless an encouragement was held out to subalterns in the service, by offering them commissions for volunteering into the line. Under the present system they were debarred of those hopes of promotion, which was the best incentive to good conduct, military ardour, and the acquirement of military skill. But if they felt the advantage of being transferred, with their rank and their men, to that branch of the service where they might look forward to the chance of being one day generals, the advantages to the army would be incalculable; for many young men, the sons of clergymen, and other gentlemen of moderate fortune, obtained commissions in the militia, but were unable to purchase into the line, and never could rise be-

yond a subaltern rank. But if such an encouragement were held out, and a preference given to militia subalterns, on recommendation to commissions in the line, the militia service would never want officers. With respect to the rates of bounty, he denied that they were now so high as the honourable gentleman had represented, whatever they might have been when competition for substitutes ran so high. Men might now be had for eight guineas; and upwards of thirty had recently joined the regiment he had the honour to command, at and under that rate. He lamented as much as any man the frequency of desertions, which, he was willing to allow, arose, in a great degree, from high bounties. A description of scoundrels, who never meant to be soldiers, made a practice of following the ballots from county to county, and taking the bounties with no other view than plunder, by enlisting in one regiment, and then deserting to take the bounty in another. Such fellows were worse than highwaymen; they, beside, by rendering more frequent the severity of military punishments, brought disgrace on their regiments; and he was convinced the most effectual way of preventing such offences would be to render them punishable by the civil law.

Lord Castlereagh said, that although the house was pledged to the throne on the principle of increasing the army, yet the best mode of carrying that principle into effect was certainly a very fair matter for discussion. He, for his part, must support the plan which he had presented, and which appeared to him likely to increase considerably the disposable force, without at the same time impairing the defensive strength of the country. An honourable gentleman on the other side of the house, had stated, that he objected to the increase of the disposable force, until there was an administration more capable of wielding it with advantage to the country. This was certainly no objection to the measure itself; for if the honourable gentleman would point out to the house who these men were who would manage the strength of the empire with greater ability, and more to the public advantage; if that honourable gentleman, and his friends who were sitting around him, were to form that new administration, still they should be obliged to his majesty's present ministers for making such an increase of the disposable force as would give their successors in office a greater power to

vield, without incurring the odium of creating it. His majesty's ministers would be liable to a serious charge against them, if thinking as they did of the necessity of increasing the army, they were yet to abstain for months from the measure they conceived necessary to the state, and not to bring it forward until they had the verdict of that house upon the several parts of their administration which were to be the subjects of future discussion. He allowed that it was the bounden duty of ministers, when they came down to the house, to propose any measure that would increase the pressure upon the country, to point out an adequate necessity. Ministers had always two objects in view, in the measures which they proposed for augmenting the army. The first was to increase the disposable force; and the second was, to take care that the defensive force should be so strong as that the country should not be exposed to peril and danger from the manly exertions which his majesty's government might feel it their duty to recommend for the assistance of other nations. Whatever was the present appearance of the probability of success to the cause of Spain, yet as the principle was agreed to on all sides of the house, it followed that whether any or what portion of our army was to be sent to the assistance of Spain was a pure military question, which was only to be determined by the executive power. If ministers should afterwards appear to have given improper advice, or to have mismanaged the military means of the country, they were subject to a heavy responsibility; but he could not think the gentlemen on the other side would really wish to tie up the hands of the executive, and deprive it of all means of acting as circumstances might render necessary, merely from the fear that it might be advised to act wrong, or to make an imprudent use of its strength. He could not believe that the gentlemen on the other side could suppose that they saw their way so clearly in respect of the war in Spain, as to say that circumstances might not occur which would make it the bounden duty of this country to give the most powerful assistance to the Spanish patriots. It was his firm opinion, that while the people of Spain were true to themselves and to their own cause, it was not only the interest of this country, but the pledged duty of parliament, to support them. He did not mean to say, that we were now to embark in wild military speculations that had no chance of succeeding; but

it was still his opinion, that if the Spanish people continued to display that energy which they had shown not many months ago, the struggle in that country was by no means at an end. But supposing that struggle to be now completely at an end, did not other views open to the mind of the honourable gentleman, and shew the necessity still of increasing our armies? Were we to suppose that no occasion could ever after occur in which they might be wanted on foreign service, or that the exertions of mankind were for ever to be tied down by the tyranny and usurpation of one individual? [*Loud cries of heart! heart!*] If no field of action presented itself in Europe, British interests might call them for the defence of another part of the world [he here appeared to allude to South America]; while, at the same time, we must keep an invincible army on our own shores to protect them from danger and from insult. He hoped that these considerations would be considered as sufficient arguments for the general principle of increasing the disposable force. He believed an honourable gentleman on the other side had fallen into a great mistake in stating the diminution of the army in the present year, and he believed the mistake arose from the artillery being included in the return of the last year, who were not included in the return of the present. In considering how the army was at present organized, there were 126 battalions of infantry, whose numbers exceeded 600, and there were fifty-six that fell short in number. It was well known that battalions, not amounting to 600, were considered inefficient, and not fit for service, and that the efficiency of the army depended a great deal on the battalions being full and complete. If this measure obtained 27,000 men, it would complete all the battalions of our infantry up to 990 men. There never was, perhaps, a more efficient army for its number, than that which was lately acting upon the continent. In Portugal there were about 29,000 men in thirty-two regiments: if there was now a deficiency in the fulness of our battalions, from the losses of that campaign, it was absolutely necessary that it should be repaired. This was a measure which would not only increase the disposable force, but ameliorate the internal organization of our army, and prevent the country being burdened with inefficient second battalions.

He should next advert to a former topic, namely, the

comparative merit of the plan of a right honourable gentleman (Mr. Windham) and the experiment which he had thought proper to make, of allowing men, (if they pleased) to enlist for unlimited service. Now, if the gentlemen on the other side contended, that experience had decided in favour of the theoretic principles of the right honourable gentleman, he thought he could account for the result. His experiment had, in fact, been only tried for the last six months. For the first eight months of the time the gentlemen began their calculation, it was contrary to law for men to enlist for unlimited service, and therefore all the recruits that were got were for the limited service. For several months after it was lawful, it did not appear to be generally understood in the army. It was not till the last six months that any had begun to enlist for unlimited service. The first month only 12 men enlisted for unlimited service; but as the thing became understood, the number progressively increased. In December, no less than 870 men preferred the unlimited service. Of the last 1400 recruits which were raised, about 1100 chose the unlimited service; so, that, instead of his experiment having failed, he thought it was evident that men preferred generally the unlimited service to the limited, and the profession of a soldier to the seven years service, which looked more like a trade. He had been twitted with its being an Irish discovery, perhaps suited to the temper and spirit of the Irish nation, but not adapted to this country, or its more sober neighbour, Scotland. The event, however, did not justify this charge, as he was always much more disposed to rest his arguments on experience and facts, than upon abstract principles of philosophy. He was perfectly convinced that there was no other rational ground for the system of the right honourable gentleman, than it was likely to produce more men; for it never could be said that it was likely to improve the discipline of the army. He was so far from rejecting the system altogether, that he by no means wished to exclude men from entering for limited service, being convinced that there were many men who would prefer this mode of enlistment; but as he was equally convinced that there were many others who would prefer the enlisting for unlimited service, he thought it but fair they should be allowed their option. He wished to carry along with the more perishable materials of an army, as much as he could

get of permanent. The fact about the number of recruits was, that whatever was the system, the country regularly produced about 1200 men a month. How the number came to be so exact, he could not say. Recruiting sergeants might often put grave legislators to the blush, and there was a certain recruiting law which that house did not understand, and which perhaps got the men better than acts of parliament. Even in the halcyon days of high bounty, and no ballot, it was not found that the number of recruits exceeded the regular number by 100 men, nor under any other system did they fall short to that amount.

It had been mentioned, that large armies were dangerous to civil liberty. Gracious God! could any rational man now suppose, that the liberties of this country were in any danger from any regular army that it was judged proper to raise, balanced as that army must be by an immense force of militia, local militia, and other armed descriptions of force: and still more balanced by those constitutional feelings which animated no description of his majesty's subjects more strongly than it did our gallant armies, which had so often and so recently acquired immortal honor, for themselves and their country. He trusted the house would not be discouraged by the present aspect of affairs, but that they would see the necessity of increasing rapidly our disposable force.

Sir Thomas Taiton hoped some good and substantial grounds would be given by the noble lord as a foundation for the present bill. What object there was in contemplation by the increase of the regular force, he could not see. Was there to be another Quixotic expedition into Spain, or another convention of Cintra? It would be but right to state what was the disposable force of the country. He thought the great force on which the nation could depend was its naval force. History proved it. Rome could not conquer Sicily, although so near her; until she first overcame the Carthaginian fleet. He stated his determined opposition to the bill.

Mr. Culcraft said, that he well remembered what vaunts there were last session concerning the vast and efficient force of the country. There was now no distinct account of our losses laid before us, and the cry of victory was every where shouted in our ears. Why then was there a draught of 20,000 men demanded to supply losses which might be barely conjectural, but which we could not see?

Last year the statement of our military force placed it at 239,000; and yet now we are told that it is reduced to 210,000; and, at the same time, told that our losses in the last campaign did not amount to more than 4000 men! There was then a chasm of but 4000 to be filled up, and it would be but becoming in the noble lord to state for what he wanted the remainder of the levy. There ought to be some reckoning, some detail. The plan of his right honourable friend (Mr. Windham), had, in one quarter, during which alone it had been acted on without interruption, produced at the rate of 24,000 men per annum, a levy fully sufficient to answer all casualties. The noble lord had wished that our force might be efficient, as we might have a great part to play upon the Continent; for his part, he could not nor would not suppose any such thing, and he hoped government would well consider what support they were likely to obtain, and their comparatively insignificant power, before such a plan was acted on, lest a second Spanish campaign should ensue; but these topics he would not now dilate on, as they were again to be debated; his grand objection to the present bill was, that it went to impose a *partial* tax for a *general* service.

Colonel Frankland wished to know what were our military means, and how they were expended; perhaps there might be a necessity for the present bill, but still it went to accuse the house of inconsistency. The house in their address to his majesty, had promised to increase the disposable military force of the country, but without encroaching on the force intended for its domestic defence, which, in his mind, this bill went to do, by its disorganization of the militia; it went also to overturn a maxim of the country, that there should always be a force not at the disposal of any improvident ambition; he thought the approval of the bill would be both undue and deceitful, after the pledge which the house had given.

Lord Temple condemned the systematic principle which had now been adopted by ministers, of filling up their regular armies, by drafting from the militia. He insisted, that the system of his right honourable friend (Mr. Windham), had been the most successful, as out of 27,000, which had volunteered from the militia, 20,000 entered under the system. That system, under the administration of his right honourable friend, was producing 24,000 recruits a year, instead of 13,000, which was all the noble

lord could get; and if it had begun to lose its power, it was only from the moment it was clasped in the cold embrace of that noble lord. He thought that if the system had been steadily persevered in, ministers would not be obliged to have recourse to the present unfair and unhand- some mode of treating the militia.

Several other members spoke on the subject.

The question was then put, and carried without a division.

The bill was read a second time, and ordered to be committed for Monday.

Adjourned.

HOUSE OF LORDS.

FRIDAY, FEB. 3.

SPAIN AND PORTUGAL.

Lord Erskine rose to make the motion of which he had given notice, for accurate returns of the number of officers and men belonging to the infantry, the cavalry, and the artillery, who had been embarked at different ports of this country and Ireland, for Spain and Portugal. He also wished to have an account delivered in of the expenditure, under the different heads of money, arms, clothing, &c. which had been sent at different times to the Spanish patriots. Also an account of the horses, waggon train, &c. He likewise wished to have a return made of the men, horses, artillery, &c. that had been re-landed not in a disabled state, from the different ports of Spain. As the noble lord understood there would be no objection to the returns he called for, he should merely trouble the house with moving for them. The noble lord then proceeded to move, "that an humble address be presented to his majesty, praying that his majesty would be graciously pleased to give directions that these different returns be laid before the house."

The Earl of Liverpool had no objection to the motions of the noble lord. He only wished him to bear in mind, that accurate returns, such as the noble lord has called for, could not be immediately forthcoming. It must be some time before the different regimental returns could be regularly made; and he only rose to state, that

whatever delay might occur, should not be imputed to any unwillingness fully to meet the object of the noble lord's motion.

The question was then put on each of Lord Erskine's motions, which were agreed to.

PORTUGAL.

The Earl of Buckinghamshire rose, not for the purpose of bringing forward the motion of which he had given notice for this day, but to express a wish that he might be permitted to withdraw it for the present. He had received information from different quarters, which he feared was but too correct, that the French had re-entered and re-occupied Portugal. It was for his majesty's ministers to say whether such was the case or not, for they no doubt must have received advices of such an event. It was of the utmost importance in his mind that Portugal should be restored to its legitimate government, for should the enemy get permanent possession of the posts of Portugal, and of the fortresses of that country, it would be no easy matter to calculate the dangers that must arise from such possession, both to the interests of Spain, and to the security of those kingdoms. He should not now press the discussion of these points, but wait till the real state of Portugal should be accurately ascertained.

The Earl of Liverpool rose, not to detain the house for any time on the topics alluded to, by the noble lord; that indeed would be irregular, as there was no motion before the house; but merely to state in answer to the noble lord's question, that his majesty's ministers had received no account of the French having re-entered and re-occupied Portugal. He was as deeply impressed as the noble earl could be, with the importance of Portugal, in the hands of an ally to this country, and with the dangers that might arise from its falling into the hands of an hostile power. He should only say, that on all occasions, he should be ready to furnish any information in his power on that interesting subject, as were his majesty's government, to enter into the fullest discussion and investigation of every point, connected with matters of such importance.

HOUSE OF COMMONS.

FRIDAY, FEB. 3.

COMMITTEE OF SUPPLY.

Mr. Ward then moved that 130,000 seamen should be voted for the year 1809, including 31,400 royal marines, which were voted accordingly.

Mr. Ward then stated, that the estimates for this number of seamen and marines were precisely the same in amount with the estimates of last year, though it had been thought desirable to make some alterations in the comparative amount of some of the branches. The allowance for wear and tear was last year taken at three pound per man, whilst the provision for victuals was estimated at 1*l.* 19*s.* only per man per month. The latter estimate had been found to fall greatly short of the actual expenditure, whilst the wear and tear fell considerably below the actual estimate. The committee would therefore be aware of the propriety of endeavouring to reduce both to an amount that should be nearest the truth, and this he proposed to accomplish by taking a guinea from the allowance for wear and tear, and adding to the allowance for victuals.

The following sums were then moved by Mr. Ward, and voted by the committee :

For wages for 130,000 seamen and marines for thirteen months, at 1 <i>l.</i> 7 <i>s.</i> per man per month	- - - - - £3,126,000
For wear and tear of ships for ditto during the same period, at 1 <i>l.</i> 19 <i>s.</i> per man per month	- - - - - 3,295,500
For victuals for ditto during the same period, at 2 <i>l.</i> 19 <i>s.</i> per man per month	- - - - - 4,985,500

Mr. Ward then observed, that the house would learn with satisfaction, that the number of seamen now serving in the navy, covered entirely, if it did not exceed, the number which the committee had just voted.

On the question that a sum of 551,500*l.* should be voted for ordnance for the number of men voted,

Sir Charles Pole could not suffer this subject to pass on, without expressing a hope, that his majesty's ministers entertained a disposition to regulate the course of proceeding at Doctors' Commons. It was his opinion, that the offices of king's advocate and king's proctor ought to

be divided. He did not mean to object to the vote of any sum for the navy; but he must add, that he should like to see those who were to manage the expenditure of it, such as ten commissioners of the navy and of victualling, selected from amongst naval men. The practice, as well as the whole system of selecting officers for the army for such offices, he deemed altogether improper, as the appointment of persons not acquainted with naval affairs, to such situations, could not but be most mischievous. In the estimates then under consideration, he lamented that he did not see any provision made for the protection and support of the orphans of marine officers, and hoped that before the end of the session, some establishment, corresponding to the compassionate fund for the army, should be instituted for the navy. This he looked upon as a proper time for mentioning the subject; and if it should not be taken up by his majesty's ministers, in whose hands it most properly ought to be left, he should feel it to be his duty to submit the matter to the house in the course of the session.

The sum was then voted; after which, on the motion of Mr. Huskisson, two several sums of 10,500,000*l.* and 1,500,000*l.* were voted to be raised by exchequer bills, to pay off similar sums of exchequer bills issued last session, and now outstanding and unprovided for.

The house then resumed, and the report was ordered to be received on Monday next.

THE DUKE OF YORK.

Mr. Wardle, previous to going into the committee of inquiry into the conduct of his Royal Highness the Duke of York, wished to correct the error to which he had alluded yesterday, in his former evidence.

The Speaker informed the honourable member, that the time for offering any thing relevant to his former evidence, would be, when the house should have resolved itself into a committee. The matter then immediately before the house, was the notice the honourable gentleman had yesterday given, of a motion for certain papers or books, from the office of the commander in chief.

After a short conversation, which led to the omission of a part of *Mr. Wardle's* original motion, the following motion was agreed to:—"That the proper officer from the office of the commander-in-chief do attend the com-

mittee of the whole house, appointed to inquire into the conduct of his Royal Highness the Duke of York, with the book containing the applications for purchase by subaltern officers, within the period in which Captain Maling had his three commissions given to him."

The house having then resolved itself into the committee, Mr. Wharton in the chair,

Mr. Wharton observed, that perhaps it might be for the convenience of the committee, that he should state, that any gentleman who might have questions to put to any of the witnesses, should mention to him when he closed his examination, in order that no interruption should be experienced from any other gentleman putting questions, which could not otherwise be prevented by the chair.

Mr. Wardle begged to call the attention of the committee to the correction he had to make of his former evidence. He had on the former night stated that he had not seen Mrs. Clarke on Tuesday morning, though he had waited a considerable time in her drawing-room for the purpose of seeing her. On recollection, however, he found that it was on Monday he had waited a long time in the drawing-room, and that on the morning of Tuesday he had seen Mrs. Clarke for a few minutes, as well as in the evening, as he had before stated.

The Chancellor of the Exchequer observed, that in the explanation of the honourable member, there was some ambiguity, in as much as the words "as I before stated" might be construed to the correction of the former evidence now first given, as well as to the former statement of the honourable gentleman.

Mr. Wardle declared, that he meant the words "as I before stated" to apply solely to the interview which he had with Mrs. Clarke, for a few minutes in her drawing-room, on Tuesday evening, and which he had stated in his former examination.

On the suggestion of the Chancellor of the Exchequer, the questions and answers relative to Mr. Wardle's interviews with Mrs. Clarke on Tuesday, were read from the notes of the short-hand writer, from which it appeared, that in his former examination Mr. Wardle had fallen into an error, which he had in this instance corrected, namely, by stating that he had not seen Mrs. Clarke at all on Tuesday morning. The admission there-

fore, that the honourable member had seen Mrs. Clarke on the morning of that day, was added to his evidence, but in order to avoid ambiguity, the words "as I stated before" were expunged.

G. L. WARDLE Esq. examined in his place.

You were at Mrs. Clarke's, as you state, on the Tuesday morning? Yes.

And saw Mrs. Clarke? Yes.

Was Mrs. Clarke at home when you called? I believe she was up stairs.

How long might you be at her house before you saw her? I do not think very long. A short time.

How long did you stay there? I cannot speak very correctly; it is impossible for me to say exactly; perhaps half an hour or thereabouts. I believe I was in my carriage; but I am not certain.

You came there in your carriage? I think so; but I am not very positive. I have been so constantly in the habits of going there, that it is impossible for me to say; but I rather think I was in my carriage.

Do you recollect how long you were there? Upon my word I do not, or else I would answer most fully; but to say positively that I can name a time, it really is not in my power.

At what hour of the day did you go there? Upon my word I cannot exactly say; I think the first time I saw Mrs. Clarke on Tuesday was early in the morning.

About what time? Upon my word I do not know the hour; but I remember going down in her carriage with her to the end of the King's Road.

On the Tuesday morning? Yes, on the Tuesday morning.

You called upon her in the morning? Yes.

At what time in the morning did you call upon her first? It was after breakfast; I should think about eleven or twelve o'clock. I do not speak positively.

Was it at that time that you called upon her in your carriage? No it was not; I think I walked there.

How long did you stay with her on that occasion when you called there, having walked there? To the best of my recollection, there were a parcel of workmen putting up looking glasses, and things of that kind, in the house: and I do not think I was there more than a short time.

Half an hour? Upon my word I cannot say; if it is of any consequence, I will endeavour to recollect. I rather think, to the best of my recollection, but I speak without certainty to these points, that her carriage was at the door. I am not certain.

Did you go out with her in her carriage? I did.

On that morning? Yes as far as the bar at the bottom of the King's Road.

Did you call upon her afterwards in your carriage on that day? I think I did in my carriage. I called upon her that day.

At what time did you call upon her in your carriage? I really cannot exactly say; I should think it might have been three o'clock. I do not speak to an hour, but, as far as I can recollect, that was the time: It has since occurred to me where I had been; I had taken a long walk, and returned and went to her house in my carriage.

Did you see her when you called upon her in your carriage? I did. She was at home then? I think she was up stairs, and came down soon.

Then Mrs. Clarke saw you the second time? She saw me the second time.

Do you recollect how long you staid with her the second time? I do not think long; I should think about half an hour: I do not know whether it was so much. I cannot be positive as to the time.

Then I understand you to have said, that you saw her a third time in the evening? As I have before stated, I saw her at night in her drawing-room, with some company, for a very short time.

You called upon her the morning before; the Monday? I did.

Mrs. Clarke was not at home then? She was not at home; and I was under a mistake on the former night, in supposing that what occurred on the Tuesday, had happened on the Monday.

Did you see her at all on the Monday? As I was coming away, having waited about two hours, she came in after driving about in town.

Did you stay any time after she came in? No, I did not; I came away immediately.

Then both on the Monday and on the Tuesday you had seen her in the course of the morning? As I have stated, I saw her for a very short time, just as she came in on the Monday.

On the Tuesday, had you any conversation with her on the subject of these charges? I do not really recollect that I had; positively no pointed conversation at all.

Did Mrs. Clarke first mention this subject of the charges against his Royal Highness the Duke of York to you, or did you first mention it to her? I fancy in the first instance I asked her questions respecting them.

Do you recollect from whom you first derived your information on this subject? To say from whom is totally impossible. I could not, with propriety, state many of the names.

Have you received the information from Mr. Finnerty? I never received any information from Mr. Finnerty in my life upon this subject? Within these few days he spoke to me, but not any information respecting these charges. I did not know Mr. Finnerty, and as to his giving me any information, he never did. Within these few days, Mr. Finnerty spoke to me respecting Dr. Thynne; I believe the very day before Dr. Thynne was examined. I think it necessary to add, that when Major Hogan's pamphlet was published, on seeing the matter held out there, of information being ready to be given to any member of parliament who asked for it, I wrote a letter addressed to Major Hogan, and, in consequence of that letter, I had an interview with Mr. Finnerty, I put some questions to Mr. Finnerty, and I found, or, at least, I had every reason to believe, that he had not any information at all upon the subject; and none did he give me. I never had any information whatever from Mr. Finnerty that led to any charge which I have made. I never, to my knowledge, saw Mr. Finnerty in my life till he came, in consequence of my letter to Major Hogan, and then I had not any information from him, which led to the charges I have made.

When was it that you saw Mr. Finnerty, in consequence of your letter to Major Hogan; was it before or after the communication respecting Dr. Thynne? The communication respecting Dr. Thynne occurred

in this lobby, or near it: I believe the night Dr. Thynne gave his evidence. It was some months ago when I applied by letter, perhaps a month after the publication of Major Hogan's pamphlet.

Was the day, on which you now recollect to have seen Mrs. Clarke three times, the day before your last examination? I have before stated, that I was led to believe, that what occurred on the Tuesday had happened on the Monday; as soon as I got home from this house, I made some enquiries that set me to rights on that subject, and I took the earliest opportunity yesterday of communicating, in this house, my mistake to the right honourable gentleman the Chancellor of the Exchequer, and to the right honourable gentleman the Speaker.

Are you certain, that the day on which you now recollect to have seen Mrs. Clarke three times, was the day before your last examination? Yes, it was on Tuesday last.

WILLIAM ADAM, Esq. a member of the house, attending in his place, was examined, as follows:

Have you the letters to which you referred on a former evening? I wish to state that I have a letter dated Sunday morning, June 19th, without any year; it is indorsed in my hand-writing, June 19th, 1808. I have another letter, dated Saturday morning, without any day of the month; I have not, I observe, put any indorsement of the day of the month or of the year, upon that letter, but it will appear, that that of the 19th of June, 1808, was the first, and that dated Saturday was the second letter. When those letters were the subject of examination on a former evening, I wished to be possessed of them, in order to have produced them. I had it not in my power to produce them then, not supposing that such a subject would be alluded to; I have now produced them.

[The following letters were read.]

"SIR,

"On the 11th of May, 1806, you waited on me, by the desire of his Royal Highness the Duke of York, to state His Royal Highness's intention of allowing me an annuity of four hundred per annum. His Royal Highness by his promise, is now indebted to me five hundred pounds. I have written repeatedly, but of no avail. His Royal Highness's conduct towards me, has been so devoid of principle, feeling, and honour; and as his promises are not to be depended on, though even given by you; I have come to the determination of making my intentions known to you, for the consideration of his Royal Highness;—and thus it is:—I solicit his Royal Highness to make the annuity secure for my life, and to pay me the arrears immediately, as my necessities are very pressing—(this he knows.) If his Royal Highness refuses to do this, I have no other mode for my immediate wants, than to publish every circumstance ever communicated to me by his Royal Highness and every thing which has come under my knowledge during our intimacy, with all his letters; those things amount to something serious: he is more within my power than may be imagined. Yet I wish, for his Royal Highness's sake and my own, that he will make my request good, as I know full well I should suffer much in exposing him in my own mind; yet, before I do any thing publicly, I will send to every one of his Royal Highness's family, a copy of what I mean to publish. Had his Royal Highness only been a little punctual, this request had

never been made. One thing more: should his Royal Highness throw up his protection to my boy, (for I thank him much for the past) I hope he will place him on the foundation of the Charter-house, or any other public school: the child is not accountable for my conduct. You will please then, Sir, to state this communication to the Duke of York; and, on Wednesday, I will send to your house, to know what may be his Royal Highness's intention; which you will please to signify by a letter to

"Your most obedient,
"humble Servant,

"Sunday Morning, June 19.

"M. A. CLARKE.

"His Royal Highness must feel, that his conduct, on a late affair, deserves all this from me, and more.

"William Adam, Esq. Bloomsbury Square.

"Private."

Indorsed Mrs. Clarke,
19th June, 1808.

"11, Holles Street, Cavendish Square.

"Sir,

"On Wednesday, finding there was not any answer to my letter, I am led to enquire, his Royal Highness the Duke of York, thinks proper not to make good his promise given by you, and that you encourage him in it.

"I have employed myself since, in committing to paper every circumstance within my recollection during the intimacy of his Royal Highness and myself. The fifty or sixty letters of his Royal Highness will give weight to the whole. On Tuesday I have promised to give these up, if I hear nothing further after this last notice; and when once given out of my own possession, it will be impossible to recall. It is to gentlemen, and not any publisher, they will be committed; and those gentlemen are just as obstinate as his Royal Highness, and more independent: they are acquaintances of your's; and to relieve my wants, in pique to others, will do what the Duke will not; however, he has it all within his own power, and so he may act as he pleases.

"I am, Sir,

"Your most obedient,

"M. A. CLARKE.

"Saturday Morning.

"William Adam, Esq. Bloomsbury Square."

Were those the two letters that the witness alluded to in her examination? They must have been the two letters that she alluded to, because I am confident I never received any other letter from the witness, unless that I received a very short note of a few lines; I rather think I did, but I am not possessed of that.

Did his Royal Highness ever betray any apprehension to you as to any thing which the witness could communicate respecting his Royal Highness? Never at any time, or on any occasion.

Did you communicate the contents of these letters to his Royal Highness? I did.

Did you shew the letters themselves, or state the full contents of them? I shewed the letters themselves, and his Royal Highness perused them in my presence.

After you had communicated those letters to his Royal Highness,

and shewn them to him, did he betray the slightest apprehension of any thing the witness had in her power to communicate? Not the slightest.

Did his Royal Highness deny that there was any thing that could be published against him? I cannot be precise to the words which his Royal Highness might have used; but I can say with confidence, that his Royal Highness expressed himself as not at all apprehensive respecting any thing which could be published. I wish to state, that the boy referred to in Mrs. Clarke's letter is not any boy of the Duke of York's.

LUDOWICK ORRAMIN was called in, and examined as follows:

In whose service are you? his Royal Highness the Duke of York's.

How long have you been in his Royal Highness's service? Eighteen years next September.

Have you been constantly in his Royal Highness's service during that period? Yes.

Do you remember when his Royal Highness used to visit Mrs. Clarke, in Gloucester Place? Yes.

Did any, and which of his Royal Highness's servants, ever use to attend his Royal Highness there? None but myself.

In what capacity do you serve his Royal Highness? As footman.

At what time in the day did you use to go to his Royal Highness? Sometimes at eight o'clock in the morning. I never went to his Royal Highness in the day.

For what purpose did you use to go to him? To take his clothes.

Did you ever see Mrs. Clarke there? Once.

During how long a time were you in the habit of going to his Royal Highness at Gloucester-place? From the year 1804 to 1806.

Are you sure that no other of his Royal Highness's servants, but yourself, went to him there? Yes.

Were you there very frequently during that time? Yes.

What was the single occasion on which you saw Mrs. Clarke? A prompt message I received to take a favourite dog of his Royal Highness's for Mrs. Clarke to see.

Was his Highness there at that time? No.

Are you sure that you never saw Mrs. Clarke at any other time but that at Gloucester-place? Not at Gloucester-place.

Were you ever directed, either by Mrs. Clarke or by his Royal Highness, to carry out from Gloucester-place a bank note to be changed? No.

Did you ever carry out a bank note from Gloucester-place to be changed? No.

Are you quite certain of that fact? Yes.

Upon what ground do you assert, that no other servant of the Duke of York's ever went to Gloucester-place? Because I had an order from his Royal Highness, that I was to bring those things, and no other servant; and no other dared to do it.

Do you assert, from your own knowledge, that no other servant of the Duke of York's ever went to Gloucester-place? Yes.

Can you speak to your own knowledge, that no other servant, except yourself, ever took a letter from the Duke of York to Gloucester-place to Mrs. Clarke? None but me.

How many men-servants were there in Gloucester-place? I do not know.

State, as nearly as you can, how many man-servants there were there? There were sometimes two in general: I never saw more than two livery servants.

How many servants out of livery? One.

What was he? Butler.

Was there no other servant out of livery? No.

Was there a man-cook? I do not know that ever there was.

How often were you in the habits of carrying letters to Gloucester-place? Very seldom.

No other servant of the Duke's ever did carry them, to your knowledge? No, not to my knowledge.

Do you know of any other person who took those letters? No, I do not.

Did you carry any letters from the Duke, that were sent from the Horse-Guards to Gloucester-place? Yes, some I did.

A great many? No.

You stated, that you never saw Mrs. Clarke but once at Gloucester-place in your life? No, I never did.

To whom did you deliver these letters which you took? Mostly to the housekeeper.

What was her name? Favorite.

What was the butler's name? I do not know; I believe, to the best of my recollection, it was Pierce, one of them; the name of the last I do not know.

Did you ever see Mrs. Clarke any where else but at Gloucester-place? Twice.

Where? I met her opposite Somerset-house.

Walking in the street? Walking in the street.

Three times only have you seen Mrs. Clarke in your life? Only three times.

Have you had any intercourse with any one, previous to your coming to this bar, respecting the evidence you have given this night? His Royal Highness asked me if I ever did receive a note from him or Mrs. Clarke.

Had you had any intercourse with any other person besides his Royal Highness previous to your giving your testimony this night? I was asked the same question by Mr. Adam.

Had you any intercourse of the same kind with any other person? A Mr. Wilkinson, and Mr Lowten.

Who is Mr. Wilkinson? A gentleman with Mr. Lowten.

Have you had any other intercourse with any other person, respecting the testimony you were to give at this bar? No.

Were the servants, you speak of as being at Gloucester-place, Mrs. Clarke's servants? To the best of my knowledge they were.

Are you a foreigner? Yes.

Do you know that they were not the Duke of York's servants? To the best of my recollection, I believe they were not the Duke of York's servants.

Were the directions from the Duke of York to you, that no one but yourself should go to his Royal Highness, at Gloucester-place? I had his Royal Highness's instructions, that nobody, if a letter came, was to go with it but myself.

When his Royal Highness asked you, whether you had ever carried a bank note to change from Gloucester-place, what answer did you

give him? I told him, I certainly did not recollect that ever I carried any note whatever to be changed.

Can you now take upon yourself, upon recollection, to state that you never did? Yes I can.

Did you give the same answer to Mr. Lowten, and to the other persons who asked you? I did.

Are you certain that the Duke of York never went in his carriage to Gloucester-place? He certainly never did.

Nor on horseback? As far as I know, he never did.

Repeat as nearly as you can, every thing that passed between Mr. Adam, Mr. Lowten, Mr. Wilkinson, and yourself, upon this subject.

Mr. Adam asked me if I was in the habit of going to his Royal Highness's occasionally, and I answered yes; and then Mr. Adam asked me if ever I recollected receiving a note either from Mrs. Clarke or his Royal Highness; I said I never did; upon which Mr. Adam sent me to Mr. Lowten and Mr. Wilkinson. Mr. Wilkinson asked me my name again, and how long I had been with his Royal Highness, and then asked me concerning these notes, if I ever changed any note for Mrs. Clarke or his Royal Highness, of that description, there; I answered no. That is as nearly as I can recollect what passed.

Has the Duke no valet de chambre that ever went to him at Gloucester-place, either at night or in the morning? To my recollection, his Royal Highness had no valet that ever went to Gloucester-place.

[The witness was directed to withdraw.]

WILLIAM ADAM, Esq. was further examined, as follows:

Having stated that you have served his Royal Highness the Duke of York gratuitously, may I be allowed to ask, have you a son in the army? I have, he is a lieutenant-colonel of the 21st regiment of foot.

At what age was he made lieutenant-colonel? I will answer that question. But as I have received a letter which I will presently read to the house, they will see the necessity of my answering that question by stating the introduction of that person, and the progress he made in the army. General Sir Charles Stewart, who was a friend of my early life, asked me if any of my five sons had a disposition or inclination for the army. I told him that there was one of them, then fourteen or fifteen years old, who I thought had a strong tendency that way. He said, you know my friendship for you, and the rules of the service permit my making him an ensign. He gave him the commission of ensign; his regiment was in Canada, and the young person never joined it, but was sent by me immediately to Woolwich, to receive a military education regularly; and as I am asked a question of this sort, and know its tendency, from the letter I have in my pocket I do not think it unbecoming in me to state, of so near and so dear a relation, that he distinguished himself extremely in his progress at Woolwich. He received a second commission of lieutenant from General Sir Charles Stewart, equally gratuitously with my services to the Duke of York. When Sir Ralph Abercrombie, whom I likewise had the honour to call my intimate friend, was about to go out to the Helder, he went under him at the age of sixteen as a volunteer. The house will pardon me, for it is impossible for me not to feel upon this subject; I must state his merits. That youth landed in a hot fire, and he behaved so as to receive the thanks of every body around him;

he remained actively engaged in every engagement during that expedition; he had the command of such a subdivision of men as a lieutenant commands, and they were of those troops that were raised as volunteers from the militia; they were raw to service, they required much management, and yet he contrived to conduct them well: when he returned to this country, he received from his Royal Highness the Duke of York, without any solicitation whatever on my part, so help me God, a commission in his own regiment, the Coldstream, having paved the way to make him a lieutenant in his own regiment, by giving him a commission in one of the regiments that was raised just after the affair of the Helder. I do not recollect the particular circumstances, but it will be easy to get them at the war-office, if that is necessary. He remained in the Coldstream regiment at home until the expedition to Egypt, when he went again under Sir Ralph Abercrombie, where he was accompanied by his friend at Woolwich, who had made a similar progress with himself, the son of Sir John Warren, who was killed by his side. He was one of those who landed with the guards in the illustrious landing commanded by Sir Ralph Abercrombie, and covered by Lord Keith. I have the happiness to say, that he distinguished himself equally upon that occasion. When he returned home, the Duke of York again gratuitously transferred him to his own regiment with the rank of major; and he rose, as a matter of course, at the age, I believe, of not quite twenty-one, to the rank of lieutenant-colonel in the second battalion of his own regiment. When Colonel Wilson went abroad with General Maitland, Colonel Wilson intimated to me, that it would vacate his lieutenant-colonelcy; and the only time I ever mentioned his name to the Duke of York was to mention that fact, and to leave it to his Royal Highness to do as he thought fit: his Royal Highness put him in the first battalion: And I have the happiness to think, that he has been a constant credit to his country, and has commanded as well, from the moment he was appointed lieutenant-colonel, as any one in the service; and I desire general officers in the service to speak to that. If General Moore were alive, he could do it. I now beg leave to read this letter, which I should have considered a mere trifle, if it were not for this question, and put it into my pocket, and probably into the fire: it is written in red ink.

[Mr. Adam read an anonymous letter.

To W. Adam, Esq.

SIR,—Your character was once respectable—that is now over: your shifting of sides in the house, and your interference in the Duke of York's *lechery*, would have dubbed any other man with the epithet of *Pimp*. By your perpetual subserviency to the Royal interests, one of your sons has obtained a lieutenant-colonelcy, and the other a ship—("I wish I was questioned as to *that appointment*—") Bravo—go on—see if you can persuade any man you are not acting for profit, when your family is thus provided for. What! the Duke's conduct is not to be canvassed—no, nor his profligacy to his w—, because he is the second in the kingdom, and a prince forsooth. Decide as you will, the public can form their judgment; nor will a heavy burthened people be persuaded, by the vote of a bear garden, that *black is white*. Be honest; change your principles with the colour of your hair; let this *rubrick* prove to you typical of my feeling, blushing as I am at your

misconduct: and as for the house, it may discuss the subject; but on its decision depends its own damnation or salvation."

Having given the answer which I have to the honourable gentleman, I am in the judgment of the house, whether I have not a right to say, that I have gratuitously served the Duke of York.

COLONEL GORDON was called in and examined as follows:

What were the merits and services that obtained Captain Maling his rapid promotion, and the gift of his three commissions? I will state them to the house. The first recommendation for the ensign's commission of Mr. Maling I have now in my hand.

[Colonel Gordon read the following letter:]

"London, 20th Nov. 1805.

C. L. agreed to.

SIR,

"As I am very anxious to have the regiment under my command complete, I took the liberty of submitting to his Royal Highness the

Oct. 1804. Nov. 1804.

names of Ensigns Budd and Warren, (the senior of their rank and of the year 1804) for two of the vacant lieutenantcies, which his Royal Highness was graciously pleased to accede to; I should humbly beg leave to recommend in their succession ——— Murphy and John Maling, gents. They are both very promising young men, and of the full age prescribed by his Majesty's regulations.

"I have the honour to be,

"Sir,

"Your most obedient, and most humble Servant,

"J. DOYLE, Lt. General,

"Colonel 87th.

"Lt. Colonel Gordon, &c. &c. &c.

"Horse Guards."

On the formation of the garrison battalions in November, 1806, when the men for limited service were taken out of the body of the army and placed into separate battalions, it became necessary, of course, to officer those battalions. Ensign Maling then with the 87th regiment, was, with four other ensigns, selected for the fourth garrison battalion, then in Guernsey—in the same place in which he was serving. Ensign Maling was the senior of three of those ensigns, and he was of that standing in the army, which entitled him, not only to promotion in that corps, but into almost any other corps in his Majesty's service. That will account for his promotion to a lieutenantcy. Lieutenant Maling joined the garrison battalion to which he was appointed, and remained with it a considerable period. In August 1807, this letter was written to me.

[Colonel Gordon read the following letter:]

"August 17th, 1807.

"Cox and Greenwood.

"SIR,

"I have to beg you will be pleased to lay before his Royal Highness the Commander in Chief, my request, that Captain Charles Doyle, of the first garrison battalion, may be transferred to the 87th regiment, in which corps there is a vacant company, *vice* Edwards cashiered.

"I take the liberty to enclose a request on the part of Lieutenant Maling of the fourth garrison battalion.

"I have the honour, Sir,
to be your obedient Servant,

"C. W. DOYLE.

"To Lt. Col. Gordon,

"Lt. Colonel 87th,

"&c. &c. &c.

"Commanding 2d Batt."

"Lieutenant Maling of the fourth garrison battalion, humbly requests to be removed back into the 87th, there being vacancies in that corps and the ensigns who were senior to him are all promoted.

"August 17th, 1807."

Colonel Gordon.—Consequently he could not be an Aid-de-Camp. The statement of the thing was considered as sufficient; the regiment being ordered for embarkation, the Commander in Chief would not permit it, nor could the officer, consistently with his own honour, accept it. The next that we heard of lieutenant Maling, now captain Maling, was on the augmentation of the Royal African corps from four companies to six companies. In the month of last September it became necessary for the Commander in Chief to recommend to his Majesty two officers to fill those vacant companies. Lieutenant Maling having been recommended to the notice of the Commander in Chief, from the paper now before the House, he was selected for one of those vacant companies; but before he was so selected, I spoke to his brother, and asked him if he could answer, that if his brother, Lieutenant Maling, was appointed to a company in the African corps, that he would join that corps, and go with them instantly to Goree; the brother assured me that he would answer for his doing so; in consequence of which I submitted his name to the Commander in Chief for one of those vacant companies, to which he was accordingly appointed. After he was appointed, I sent for captain Maling, and repeated to him, as nearly as I can recollect, the very words I repeated to his brother. He expressed himself much honoured in the appointment, much flattered with my notice; and that he was in readiness to set off instantly to the army depôt, to which place I believe he did set off. Many of the African corps were at that time on board a prison-ship. When this prison-ship became too crowded to hold all the men that it was necessary to put into it, a detachment was sent to Castle Cornet, in the island of Guernsey, the only place of security to which men of that description could be sent; captain Maling went with it: and the next that I heard of captain Maling was this letter, two months and a half after he had been appointed:

[Colonel Gordon delivered in the following letter:]

"Guernsey, 25th July, 1808.

"SIR,

"THE Secretary at War having notified to me, that I am to be allowed one Aid-de-Camp from the 25th of April, I beg you may submit to his Royal Highness the Commander in Chief my request to be permitted to recommend Lieutenant Maling, of the 87th regiment, for that situation.

"I have the honour to be, Sir,

"Your most obedient, humble servant,

"The Adjutant General of the Forces,

"JOHN FRASER,

"&c. &c. &c."

"M. G."

(Copy.)

"Horse-Guards, 30th July, 1808.

"SIR,

"I have the honour to acknowledge the receipt of your letter of the 25th ult. and to acquaint you, that the 2d battalion of the 87th regiment, to which Lieutenant Maling belongs, has been ordered to be held in readiness for immediate embarkation for foreign service.

"I have, &c.

(Signed)

"M. General J. Fraser, &c. &c. &c.

"HARRY CALVERT,

"A. G.

"Guernsey."

(Copy.)

"Guernsey, 20th Dec. 1808.

"SIR,

"I beg leave to request permission of his Royal Highness the Commander in Chief, to employ as my Aid-de-Camp, Captain John Maling, of the Royal African Corps, who is at present stationed in this island with part of that corps.

"I have the honour to be, Sir,

"Your most obedient humble servant.

"JOHN FRASER, M. G.

"The Adjutant General of the Forces."

Indorsed :

Dec. 27th.

"There was a very large proportion of these men at the dépôt, on board the prison-ships, and in other places of confinement; and of these it was reported that some were men of less bad conduct than others, and might be usefully employed as soldiers, but that it was hard to keep them as prisoners for such a length of time as might elapse before they could possibly embark for Goree. The only place for them is *Castle Cornet*, in Guernsey, where their predecessors were, and where these men may be trained and formed prior to embarkation for Africa.

"Captain Maling is a good young man, and I should imagine, so long as the CORPS REMAINS IN GUERNSEY, there could not be any objection.—Major Chisholm left town yesterday, for Guernsey."

(Copy.)

"Horse-Guards, 28th Dec. 1808.

"SIR,

"I have had the honour to lay before the Commander in Chief, your letter of the 20th instant; and am directed to acquaint you, that his Royal Highness approves of Captain John Maling of the Royal African Corps, being employed as your Aid-de-Camp, upon the staff of Guernsey, so long as a detachment of that corps remains in Guernsey.

I have, &c.

H. CALVERT, A. G.

"Major Gen. Fraser, &c. &c. &c.

"Guernsey."

"Is it within your knowledge that there are several subalterns now in the army, who have served longer than Captain Maling? Unquestionably, there are a very considerable number. May I explain to the House: it is the invariable practice of the army, at least it has been the invariable practice of the present Commander in Chief, without one single exception, that no junior officer can be promoted over the

head of his senior, I mean in the regiment into which he is so promoted: but it never has been the practice of the army, that the promotion goes in a regular routine of seniority through the whole army; I never heard of such a practice. I beg further to explain: I conceive it my particular duty to take care, and report to the Commander in Chief, that any officer whose name is submitted to his Royal Highness is a fit and proper person, duly qualified in all respects, as to character, as to points of service, and as to his Majesty's regulations, for the service into which he is so recommended; that Captain Maling is so, I did certainly conceive; and I do now feel, that he is not only an honour to the corps in which he is placed, but I do firmly believe that he is as promising an officer as any in the army, and as likely to do honour to his country.

Do you mean, that no officer is promoted over the head of another who is his senior; do you mean, that no officer is taken out of one regiment and put into another, over the head of an officer of older rank than himself, who was ready to purchase in that regiment? I mean distinctly this: if there should be a vacant company, for instance in the 5th regiment of foot, that any lieutenant that the Commander in Chief recommends for that purpose, must be senior to all the lieutenants of the 5th.

Then a major of one regiment could not be put as lieutenant-colonel into another, over the head of a major in that regiment of senior date and rank to himself? Most undoubtedly not.

Was not Colonel Pigot, of a dragoon regiment, promoted over the head of a senior major who then was in that regiment? I beg to explain, that, when I say this never takes place, it is made a special instruction from the Commander in Chief to every general officer commanding, that he invariably pursues the practice I have pointed out, except in such cases where he can give strong and sufficient reasons to the contrary. With respect to Colonel Pigot, I cannot venture to take upon myself to speak so decidedly from memory; but I believe; Honourable Member means Colonel Pigot of the 21st Dragoons, now at the Cape; what the special circumstances of his appointment were, I do not now recollect; but whatever they were, they were on the special recommendation of the Lieutenant-General, and Colonel of the regiment, Lieutenant-General Tarleton, that I do recollect.

Do you recollect any unpleasant occurrence happening in consequence of that appointment? I cannot say that I do.

Can you, from your own knowledge say, whether, at the time of Lieutenant Maling being promoted to a company, any recommendations for purchase from the commanding officers of regiments, of subalterns of senior date to Lieutenant Maling, were before the Commander in Chief? Certainly, a great many; but this vacancy was not by purchase.

Were there any recommendations of senior subalterns for promotion without purchase before the Commander in Chief? It is very likely that there were.

Can you speak positively to that fact? I think I can.

Do you think that they were to any great number? The army is so very extensive, I cannot have any hesitation in saying, that they must have been to a very great number.

Is it not a regulation, that no officer shall purchase a company, unless he has been two years a subaltern? It is a regulation of the Army, His Majesty's regulation, that no subaltern can be promoted to a company, either by purchase or without, under a service of two years.

Do you command the Royal African Corps? I do.

State what has been the length and nature of your services in the Army? I have served His Majesty very nearly for twenty-six years; for the last twenty-four of which I have been employed in every part of the world (the East Indies excepted) where His Majesty's troops have been stationed, and with very little intermission. I have been four times to the West Indies, and have been there nearly six years; I have been twice to America; I have been all over the Mediterranean; I have commanded a regiment in America; I have commanded a regiment in the West Indies. It has been my fortune, very undeservedly, perhaps, to have a sword voted for my services; to have been repeatedly thanked by General Officers under whom I have been placed. It is, perhaps, a singular part of my service, that I have not only served in every situation in the Army, from an ensign up to my present rank, that a gentleman could serve in, but I have, also, served in every situation upon the staff of the Army, without one single exception. Of this service, twelve years I was a subaltern, nine of that in constant regimental duty, five years, I think, as major, two or three years as lieutenant-colonel with my regiment, the greatest part of that time abroad.

Were not the regulations for the promotion of the Army, which you have mentioned, set on foot originally by the Duke of York? They certainly were, when the Duke of York became Commander in Chief of the Army. Prior to his being appointed Commander in Chief of the Army, an officer who had money might purchase up to the rank of Lieutenant-Colonel in three weeks or a month, as fast as his separate appointments could be passed through each separate Gazette.

Does the rule that you have stated, of not promoting an officer into another regiment where there are officers senior to him of the same rank that he filled in the regiment from which he comes, apply to appointments with or without purchase? It applies to both; that is, no junior officer can be permitted to purchase over the head of a senior officer, provided that senior officer is also willing to purchase, if always mean; or unless there are special reasons to the contrary; something relating to the misconduct of the person.

Can you take upon yourself to say, that there has been no instance of an officer being promoted into another regiment, where, if it is not a case of purchase, there is an unexceptionable senior officer in the same rank; and where it is a case of purchase, where there is an unexceptionable officer, able and willing to purchase? I have already said, that no junior officer can be promoted over the head of a senior officer in the same regiment, and that the same rule applies to purchase; that is, that no junior officer can purchase over the head of a senior officer into a regiment where a senior officer is willing to purchase; that I never knew that rule deviated from, except in some particular case or cases, upon which a special explanation could be given.

Upon reference to any paper since you were last examined here,

Have you any means of accounting for the exchange of Lieutenant-Colonel Knight and Lieutenant-Colonel Brooke not being in the Gazette till the Tuesday? I stated to the House, I believe, in my evidence the last time I had the honour to give it in this House, that I received the Duke's pleasure, his final pleasure, upon the subject of this exchange, on the 23d of July, which date was upon the original paper now on the table of the House. Since that time I have obtained possession of the original paper which was submitted to his Majesty; I now hold that paper in my hand. The exchange was final with the Commander in Chief on the 23d of July, the Tuesday; on Wednesday the 24th it was made out to be sent to the King, but not in time to go by the mail of that day. I beg to inform the House, that the mail passes through the arch-way of the Horse Guards exactly at three o'clock; the King being at Weymouth on Thursday the 25th, I sent this paper to his Majesty by the mail. Here is his Majesty's signature to it. . . . "Weymouth, July the 26th, 1805: Commissioners agreeably to the above List, to be prepared for My signature." . . . This paper was returned to me on the following day, on Saturday, but too late for the Gazette; it was therefore gazetted on the next Gazette day. I believe I stated to the House, that when I talk of the next Gazette, I mean the next Gazette in which Military Promotions are announced; and it will be found that no military promotions were announced in the Gazette on Saturday. I have said that the Commander in Chief had decided upon this exchange on the 23d of July; on reference to my correspondence for the month of July, I find these papers:—this is an application to the Commander in Chief (through me) from an honourable Member of this House, on behalf of his brother, to exchange into the cavalry, with Lieutenant-Colonel Knight:

[Colonel Gordon read, and delivered in a letter from Mr. Halkisson, dated Treasury Chambers, 22d of July, 1805.]

Colonel Gordon. My answer is on the 23d of July, the day I mentioned before.

[Colonel Gordon read and delivered in the answer, dated the 23d of July, 1805.]

(Copy.)

"Treasury Chambers, 22d July 1805.

"My dear Sir,

"The condescension I experienced lately from his Royal Highness, in allowing my brother to purchase a majority in the 5th foot, is not unknown to you, to whose friendly assistance I was much indebted on the occasion. You will probably recollect, that at the time I mentioned to you the probability that my brother would feel anxious for an opportunity of getting back into the cavalry, both on account of his never having served in the infantry, and from the circumstance of his health having suffered so much whilst serving with the 25th light dragoons in the East Indies, that he is strongly advised against returning, at least for some years, to a hot climate. Under these circumstances, I cannot help requesting, if it should not appear too much presumption on my part, that you would submit to his Royal Highness my humble request, that he would afford my brother an opportunity of exchanging into the cavalry. Feeling the great obligation I am already under to his Royal Highness, I should not venture again to trespass so soon on his indulgence, if I had not understood that one of the majors of the 5th dragoon guards had signified a wish to exchange into the in-

infantry, and that it might be a long time before any other opportunity might occur of bringing my brother back into that service; to which, for the reasons I have now troubled you with, he is so anxious to be restored.

"I remain, &c.
(Signed) "W. HUSKISSON.

"*La. Col. Gordon.*"

(Copy.)

"*Horse-Guards, 23d July, 1805.*"

"My dear Sir,

"I have not failed to lay your request, in behalf of your brother, before the Duke of York; and am commanded to acquaint you that his Royal Highness will be glad of any favourable opportunity, by which he can be enabled to accede to it. The exchange with Brevet Lieutenant-colonel Knight, 5th dragoon guards, has already been determined upon in favour of Brevet Lieutenant-colonel Brooke, whose services his Royal Highness was of opinion could not but be favourably considered; but if your brother can find any major in the cavalry who is disposed to exchange to the Infantry of the line, the Commander in Chief will have much pleasure in recommending the same to his Majesty.

"Your's very faithfully,
(Signed) "J. W. GORDON.

"*W. Huskisson, Esq.
&c. &c. &c.*"

State what are the regulations that have been established by the Duke of York with regard to regimental promotions, having regard to the period of service in each rank. The regulations are briefly these; an officer must serve as a subaltern two years before he can be a captain, and he must have served six years before he can be a field-officer. I never knew any instance of those rules having been broken through, always, as in merchants' accounts, saying errors excepted.

How many hours in every day does the Commander in Chief devote to the duties of his office? The Commander in Chief commands my attendance upon him every morning a little after ten; and he very rarely gives up business until past seven in the evening, there or thereabouts, very often past eight.

Is not his Royal Highness particularly punctual in taking care that the business of his office is conducted in such a manner, that reference may always be had to the cause of any promotion? Most undoubtedly he is.

Has not his Royal Highness taken, in the instances where commissions are permitted to be sold, particular precautions to confine those commissions to the regulated price only? He certainly has. I believe it will be necessary for me to trouble the House still further upon this: in the year 1804, when a great augmentation was added to the army of fifty battalions, I did understand that very great abuses were practised with respect to the purchase and sale of commissions; that people endeavoured to obtain commissions unduly; that they endeavoured to impose upon the officers of the army in taking money under the pretence of obtaining commissions, and that this went to a very great extent. I did represent this in the strongest manner to the Commander in Chief, who felt it very sensibly, and expressed the strongest indignation at it, and commanded me to frame an instrument,

a copy of which I now hold in my hand, and which was circulated to all the corps of the army. With the permission of the House I will read it.

[Colonel Gordon read the following letter:]

"Circular to Army Agents

(Copy.)

"Horse-Guards, Sept. 28, 1804.

"Gentlemen,

"His Royal Highness the Commander in Chief having the strongest reason to believe, (from the advertisements that have frequently appeared in the public papers) that an extensive correspondence is carried on with the officers of the army, by persons styling themselves army brokers, to induce them to enter into pecuniary engagements for the purpose of obtaining commissions, contrary to the established regulations; and it being the earnest desire of the Commander in Chief to check as much as possible a practice so extremely prejudicial to the service; I am commanded to call your attention to this important point, and to impress upon you the necessity of the utmost vigilance, in preventing, as far as may be in your power, any communication whatever with those persons and the officers in your agency. And should it at any time appear that any such commissions shall have been negotiated through your offices, the Commander in Chief will consider it his duty to recommend to the Colonels of the respective regiments to notice such irregularity, by withdrawing their regiments from that agency, and placing them in other hands.

"I have it further in command, to desire that you may be pleased to convey to the officers commanding regiments in your agency, the most marked disapprobation of his Royal Highness of this improper and secret traffic; and to assure them, that if subsequent to the date of this letter any commission shall be discovered to be so obtained, such commission will be immediately cancelled, and the officer be reported to the King, as having acted in direct disobedience to the orders of the Commander in Chief.

(Signed)

"J. W. GORDON."

Colonel Gordon. In consequence of this letter, it was necessary to have certain regulations, which, perhaps it will be unnecessary to trouble the House with, but which I will deliver in with my letter.* I

(Copy.)

"Horse-Guards, 19 October 1804."

"1. His Majesty's regulations, in regard to the sums to be given and received for commissions in the army, having in various instances been disregarded, to the great prejudice of his Majesty's service, his Royal Highness the Commander in Chief is pleased to direct, that when an officer is desirous of retiring from the service, and of having leave to sell his commission, if his regiment is in Great Britain, he is to send his resignation in the usual manner, through the Commanding Officer of his regiment, to his Colonel, who, in transmitting the same to Commander in Chief, may at the same time, if there are purchasers in the corps, recommend in succession the senior of their respective ranks for purchase, both the colonel and commanding officer, certifying that they are satisfied that no more than the sum stipulated by his Majesty's regulations is given or received.

beg leave to add, that that strong letter was found totally insufficient for the purposes; that it did come to my knowledge, and that I had proof, that those abuses did still exist; that I put that proof into the hands of the most eminent counsel at the time, and they assured me, that I could have no redress against the parties, there was no law to the contrary, and that it did not amount to a misdemeanour. Having mentioned it to the Commander in Chief, I had frequent communication with the then Secretary at War, now a Right Honourable Member of this House, and whom I see in his place; and after frequent conferences with this Right Honourable Gentleman, he did bring into

" 2. Should there be no purchaser in the regiment, the resignation of the officer desirous to retire is alone to be transmitted in the manner and form above-mentioned; when, should the application be deemed proper to be granted, his Royal Highness will recommend to his Majesty such officer for the purchase as to his Royal Highness may appear most eligible.

" 3. Officers belonging to regiments stationed in Ireland, must make their applications in a similar course to the commander of the forces there; and on foreign stations through the commanding officer to the general officer under whose command they serve; their applications being uniformly sanctioned by their respective commanding officers, who are to certify, in the same manner as colonels of regiments at home, that they are satisfied in regard to the sums given or to be received being in strict conformity to his Majesty's regulations.

" 4. Colonels, when absent from Great Britain and Ireland, may empower the officer in actual command of their regiments, or their regimental agents, to recommend purchasers for vacant commissions, in which case the necessary certificates, in regard to the sum to be paid in regimental successions, must be signed by them in the colonel's absence, as well as the recommendation for the purchase; and the person so recommending to cornet-cies or ensigncies, vacant by purchase, will be held responsible for the eligibility of the person recommended.

" 5. The Commander in Chief is further pleased to direct, that when an officer is desirous of returning to half-pay, receiving the difference, the same rules are to be observed in regard to transmitting his application; but no recommendation in succession is to accompany the request to retire, as his Royal Highness will himself nominate the officer to be proposed to his Majesty for the exchange.

" 6. To enable the Commander in Chief to recommend officers for purchase, it is necessary that regular returns of all officers prepared to purchase promotion should be transmitted from each regiment and corps in the service, to the Commander in Chief's Office, Horse-Guards, London, on the

" 25th March,

" 25th June,

" 25th September, and

" 25th December in each year, under cover, to his Royal Highness's Military Secretary; and these returns must particularly state where the money of each individual desirous of purchasing is lodged, or to be obtained; and similar returns must be forwarded to the regimental agents, for the information of their respective colonels.

" 7. Officers on leave of absence from corps on foreign service, may transmit their applications to purchase or sell through the colonels of their regiments, and in the event of a change in an officer's circumstances between the quarterly returns, he may make a direct communication to head-quarter

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this House, and submit to its consideration, a clause, which is now part of the Mutiny Act, inflicting a penalty upon all persons, not duly authorized, who shall negotiate for the purchase or sale of any commission whatever.

You are in the habit of almost daily intercourse with the Commander in Chief? When the Commander in Chief is in town; I do not recollect that I ever passed a day without communicating with him.

ters, in order to prevent any purchase taking place in his own corps, by which he may be passed over by a junior officer.

" 8. This rule is applicable also to officers on the recruiting service; or on other military duties whose corps may be on a foreign station.

" 9. Officers on half-pay, desirous of exchanging to full-pay, giving the regulated difference, must address themselves to head-quarters, stating where their money is lodged, or to be obtained, to enable the Commander in Chief to recommend them as vacancies occur.

" 10. After these orders have been circulated, no attention will be paid to representations of officers who have neglected to return themselves prepared to purchase; as whatever hardships they may suffer in that case must be entirely owing to their own neglect.

" 11. In causing these orders to be circulated to the army, the Commander in Chief thinks proper to declare, that any Officer who shall be found to have given, directly or indirectly, any thing beyond the regulated price, in disobedience to his Majesty's orders, or to have attempted to evade the regulation in any manner whatever, will be reported by the Commander in Chief to his Majesty, in order that he may be removed from the service; and it is also to be understood, that the prescribed forms of application for the sale and purchase of commissions, and the usual certificates annexed thereto, are in all instances to be complied with.

" By Command of
" His Royal Highness the Commander in Chief,
(Signed)

" J. W. GORDON,
" Military Secretary."

FORM OF RETURN.

REGIMENTS.	Names and Rank of Officers desirous to purchase Promotions.	Where their Money is lodged, or to be obtained.	REMARKS.

N. B. The Returns to be transmitted to Head Quarters, are directed to be on a sheet of foolscap paper.

At the time that this exchange was effected between Colonel Brooke and Colonel Knight, the king was at Weymouth? I have shewn it to be so.

Did that paper, containing commissions to be submitted to his Majesty, go down to Weymouth by the mail coach? I believe so, I had no other mode of sending it.

Do you recollect the Duke of York's going down to Weymouth about that time? Perfectly.

Do you know on what day he went down to Weymouth? I do exactly.

On what day? It was the 31st of July.

You have stated, that according to the new regulations introduced since the Duke of York has been Commander in Chief, a certain number of years must elapse before an officer can be promoted to a certain rank in the army; is any service required by those regulations besides length of time? It is generally understood that an officer must serve six years.

Has it ever come within your knowledge that any officer has been promoted without any service whatever? No, it has not.

Has it ever come within your knowledge that a boy at school has had a commission of ensign? Yes, it certainly has, I think in some three, four, or perhaps some half dozen instances; not exceeding that; but those commissions have been surreptitiously obtained: and when it was known that the boy was at school, the commission has been cancelled, and that reason given in the gazette.

Have they been cancelled in every instance? In every instance that has come to the Commander in Chief's knowledge; and the Commander in Chief will be obliged to any gentleman that would point out an instance.

Could you name those instances? Not immediately from my recollection, but I can obtain them from reference; but one I can name. I recollect the Barrack Master of Hythe, I think; the name I do not immediately recollect; but the person I do perfectly, recommending off the score of his own service and great distress, that his son should be recommended for a commission; I recollect also having some suspicion at the time, that this son was not of a proper age; and I do further recollect desiring the officer commanding there, then in command, to examine the young man; and the report of that officer was that he thought him, though young, eligible for a commission, upon such report the young man was appointed, but when he joined his regiment, the officer commanding that regiment was of a different opinion, and reported him as too young, and I do perfectly recollect that commission was cancelled.

Is that the only instance which occurs to your recollection? That is the only instance that occurs; the name of the boy was Kelly.

You have in that box by you, papers ready to answer questions which have been put to you; had you before you came here any idea of the questions that would be put to you? Upon my word I had not. The papers that are now in this box relate to the exchange of Lieutenant-colonels Brooke and Knight, part of which I have shewn to the House. All the others relate to the appointment of Captain Maling; to the appointment of all the officers of the African corps, and to every thing in any manner connected with the African corps.

You had no information of the other questions that would be asked you to night? Most undoubtedly not.

You have stated, that you recommended Lieutenant Maling to be made a captain in the African corps; did you recommend him in your capacity of lieutenant-colonel commandant of the African corps? I most undoubtedly did; because I know it is an extremely difficult thing to get officers to join such a corps as that in such a place; and I thought it my duty to take particular care, that whatever officer was appointed to the African corps, should clearly understand, that nothing was to prevent him from joining it.

Whom did you recommend to the other company which was added to the African corps at that time? The other officer that was recommended for the company of the African corps was a Lieutenant Edward Hare; his memorial I now hold in my hand, if the House would choose to have it read.

[Colonel Gordon read the following memorial:]

"Sir,

"I have the honour to transmit to you, the memorial of Lieutenant Hare of the first Garrison Battalion, which I request you will take the earliest opportunity of laying before his Royal Highness the Commander in Chief.

"I beg leave to state, that Lieutenant Hare was remarkably well recommended to me, previous to his accepting my Adjutancy, by the Earl of Dalhousie, under whom he served upwards of two years. During the time he was in my volunteer corps, his behaviour was such, as to afford every satisfaction to myself, and to all my officers.

"I have the honour to assure you that I am, Sir,

"Your most obedient Servant, J. LAWSON,

"Lt. Col. Com. Catterick & Richmond Vol. Infantry."

"Brough-hall, 30th August, 1808."

"To Field-Marshal his Royal Highness the Duke of York Commander in Chief, &c. &c. &c.

"The Memorial of Lieutenant Edward Hare, of the 1st Garrison Battalion;

"Sheweth,

"That your memorialist has had the honour of serving his Majesty as a subaltern officer for near fifteen years, the particulars of which he has had the honour of stating to your Royal Highness in a former memorial, accompanied by testimonials from those under whom he has had the honour to serve; when your Royal Highness was graciously pleased to promise him promotion.

"Your memorialist is induced from the length and nature of his services, humbly to solicit, that your Royal Highness will be graciously pleased to recommend him to his Majesty for a company in the Royal African Corps, or any other regiment your Royal Highness may be pleased to appoint.

"Which is submitted, August 24th, 1808.

C. T.

"The Cr. C. has no opportunity of recommending him for promotion, but he may be recommended to a regiment of the line, if he is desirous of more actual service.

"G. W."

C. T.

"2d Sept.

"He may be recommended for the vacant company, R. A. Corps.

"Sept. 19th, 1808."

"J. W. G."

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"To Field Marshal his Royal Highness the Duke of York, Commander in Chief of his Majesty's Forces, &c. &c. &c.

"The Memorial of Lieutenant Edward Hare, of the 1st Garrison Battalion;

"Sheweth,

That your memorialist has been actively employed as a subaltern officer for upwards of eleven years; that he served in the 2d West York regiment of militia from March 1794 till August 1797, when he purchased an ensigncy in the 2d or Queen's regiment, in which he served the campaign in Holland under your Royal Highness's command; that he was appointed lieutenant in the 35th regiment on the 2d November, 1799, in which he served nearly three years in the Mediterranean; that in consequence of bad health he was obliged to retire upon half-pay in June 1803, without taking the difference of exchange; that in February, 1804, he found his health recovering, when he got the appointment of adjutant in the Catterick and Richmond Volunteers, where he served till he found himself enabled to return to his duty in the line, when he applied to be restored to full pay.

"Your memorialist begs leave to offer his best thanks for your attention to his memorial of the 11th of August last, when your Royal Highness was pleased to order his name to be noted for promotion; most humbly and confidentially hoping, that the length and nature of his services, together with the testimonials enclosed, may entitle him to your Royal Highness's recommendation for a company.

"Edward Hare,

"Lieut. 1st Garrison Bat."

Which is submitted, January 4th, 1806.

"I certify that Lieutenant E. Hare served in the 35th regiment, from the year 1799, with attention and credit, till June, 1803, when, in consequence of bad health, he was placed on half-pay.

"CHARLES LENNOX,

"Col. 35th regt. and Lieut.-Gen.

"Dec. 9th, 1805.

"Lieut. E. Hare, 1st Gar. Bat."

"Stockton on Tees, Dec. 1805.

"Dear Sir,

"I have great pleasure in bearing testimony of your exertions and unremitting attention, in promoting the duty and discipline of the Catterick and Richmond corps, which, from being placed under my inspection, I had every opportunity of observing; and I trust, before long, you may again be placed in a situation where your zeal and abilities may be of service to your country.

"I am, Dear Sir,

"Your very obedient Servant,

"THO. B. GREY,

"Lieut.-Col. & L. F. O. Yorkshire District.

"Lieut. Hare, 1st Gar. Battalion."

"At the request of Lieutenant Edward Hare, I certify that he was appointed ensign in the 2d West York regiment of militia, in March, 1794; was promoted to a lieutenancy in the same year, and continued to serve till August 1797, when he purchased an ensigncy in his Majesty's 2d or Queen's regiment; and during the time he was under my

command, always conducted himself with propriety, and with attention to his duty.

"DOWNE,
"Col. 2d West York."

Colonel Gordon.—This memorial was forwarded by John Lawson, Lieutenant-colonel of the Catterick Volunteer regiment, and certified by the Duke of Richmond, and by Lieutenant-colonel Grey, the inspecting field officer of the district.

What were the services of Captain Maling's brother, who is, I believe, a captain in the army, who is in the War-Office? There is a Captain Maling, an assistant of mine, in the office of the Commander in Chief; I take for granted, that is the person referred to. What his services are as a lieutenant I really do not know; I found him as a lieutenant in the office of the Commander in Chief; and in consideration of his extraordinary good character, and more than common abilities, the promotions of the army going through his hands under mine, I did recommend him to his Royal Highness the Commander in Chief, to be placed upon the half-pay as a captain, upon which half-pay he most assuredly will be placed as soon as an opportunity offers; but the Commander in Chief has it not in his power.

Do you know whether or not that Captain Maling ever joined and did duty with any regiment? I do not know that he did; and I do not think that he did.

Does not the Commander in Chief require testimonial, that each candidate for the army shall be at least sixteen years of age? That is the general rule; but it sometimes happens that a boy of fifteen may be more strong than a boy of sixteen or seventeen; and all that the Commander in Chief requires is that he shall be competent to do his duty.

Is it not a general order, that every officer shall join his regiment within one month after his appointment, except in some special instance? It is very probable that it may be so, but I really cannot speak to that.

You are very positive as to the date of the Duke of York's going to Weymouth in the summer of 1805; do you know at what time of the day his Royal Highness went? Upon my word I cannot speak with any degree of accuracy; but it is the custom of the Duke of York to travel in the night, and he probably went in the night.

Do you apprehend that he did go in the night? I cannot give a more positive answer than I did before.

[The Witness was directed to withdraw. The Chairman was directed to report progress, and ask leave to sit again.]

Mr. Croker was anxious, as the committee had arrived at the end of this charge, that they should come to an immediate decision upon it.

The Chancellor of the Exchequer was of a different opinion, and thought that the whole should be gone through before the sense of the committee was obtained.

Lord Castlereagh informed the honourable gentleman opposite, that he had enquired whether Captain Huxley Sandon had arrived at Portsmouth, that he found he had, and that orders had been sent to him to come up to town.

The Chancellor of the Exchequer observed that if that officer should not arrive in time for the next examination, the honourable member might proceed with some charge in which his testimony was not necessary. It would be desirable to proceed with the business on Monday, and he begged to know what charge the honourable member meant to bring forward on that day?

Mr. Wardle seemed to think Monday too early a day, and said that it was impossible for him to state what particular charge he should bring forward.

Mr. Sheridan expressed his surprise, that his honourable friend was not disposed to proceed with this business on Monday, and also to declare the particular charge which he meant first to adduce. It was impossible but that he himself should be ready, and if his witnesses should not be here at the time, it would be competent to him then to defer the proceeding.

Mr. Wardle observed, that Captain Huxley Sandon was a material witness in every charge, and that the probability of his being able to attend on Monday, did not seem to be very great.

Mr. Canning pressed the honourable gentleman to state the particular charge with which he meant next to proceed. He could not believe that the honourable gentleman would come forward on such a grave occasion, relying on the absence of his witnesses.

Mr. Wardle said, that he was under some difficulty on the subject. He had heard that Mrs. Shawe resided at Bath; but he had not yet ascertained that point. To-morrow he would be prepared to state what should be his next charge, and the delay of a-day could not make any material difference.

Lord Folkstone remarked, that the Order Book contained an abundance of business for Monday, without any addition. He thought the honourable gentleman asked only a common indulgence, when he wished for the delay of a day.

Mr. W. Smith allowed that he could not see why the honourable gentleman could not at once make up his mind with respect to the charge that he would next endeavour to maintain. But still he might have reasons for not doing so. It was important, however, to the character of the house, that the honourable member should not be treated with any thing like unkindness. Neither he (*Mr.*

S.) nor any of those on the same benches were implicated in the manner in which the honourable gentleman thought proper to bring his charges. None on his side of the house had been consulted as to the matter or the manner of those charges : but in proportion as the honourable gentleman had taken the business entirely on his own shoulders, he ought to be dealt with fairly and impartially.

Mr. Canning combated the assertion that it was attempted to treat the honourable gentleman with unfairness or partiality. The honourable gentleman disclaimed for all those with whom he generally acted, all participation in the proceedings of the honourable accuser : he (*Mr. C.*) believed that the honourable gentleman made this declaration without any authority whatever.

Mr. W. Smith said, that he had heard it asserted by all from whom he had heard any assertion whatever on the subject (and those were not a few), they had no concern whatever in the business ; though he had not spoken with authority, he had spoken with knowledge.

Sir Francis Burdett was persuaded that if this was the way in which any honourable member who attempted to correct public abuses, was to be assisted by the wisdom of the house, very few would henceforward enter on such an undertaking. For himself he should be ashamed to make any such disclaiming as that made by the honourable gentleman near him. The gentlemen opposite might think what they pleased : what he did he did as his duty. It did appear to him that the honourable accuser had acted in the most fair, candid; and even incautious manner ; and that much of the reproach which he had unjustly incurred, had arisen from his desire to comply with the indecent hurry of the gentlemen opposite.

Mr. Canning admitted that the honourable baronet had taken a manly part—that he had stated his reasons frankly, and he knew he had ability to maintain them. But what would be said if there was a person who had secretly advised—who had secretly been consulted, and who sheltered himself in silence under that broad *disclaiming* shield which an honourable gentleman had thrown over himself and his friends. If such a person existed, he must apply to his conduct terms very different from those which he had in justice applied to that of the honourable baronet.

Mr. Whitbread, with great warmth, accused the right honourable secretary of making a covert attack on some

individual, whom he did not venture openly to denounce, and called upon him, with the same manliness which he had praised so highly in the honourable Baronet to name, the person to whom he alluded. (A pause of half a minute, cries of "Name! Name!") If the right honourable gentleman would not name the person, it must be taken for granted that he had no ground for his insinuation.

Mr. Barham asked the right honourable gentleman the cause of his disbelief, when his honourable friend near him disclaimed for himself and his friends any participation in the conduct of the accusation at present before the house.

Mr. Canning replied, that the honourable gentleman himself had afforded the best possible ground for his disbelief.

Mr. W. Smith said that it was impossible that what he had stated subsequently to the right honourable gentleman's observations, could have produced those observations.

Mr. Whitbread repeated that this was too serious a thing to be passed over, and he again called on the right honourable gentleman to name the person whom he described as having sheltered himself in unmanly silence.

Mr. Yorke protested against this unparliamentary mode of calling on one honourable member to name another.

Mr. Whitbread replied, that if the honourable gentleman had sat near him, he would not have been surprised at his feelings; when the right honourable gentleman, by a direct insinuation, and by his gestures and looks evidently directed towards himself, had pointed him out as the object of his attack.

After some conversation between the Chancellor of the Exchequer and *Mr. Wardle*, the latter gentleman stated that if he found he could go on with the case of Colonel French (now in Jamaica), without the presence of that officer, he would do so on Tuesday; if not, he would proceed with that of Captain Tonyn.

On *Mr. Wardle's* motion the following witnesses were ordered to be summoned for Tuesday:—*Mr. Grant*, Captain *Huxley Sandon*, *Mrs. Shawe*, *Mr. Cockayne*, *Mr. Corri*, *Mr. Donovan*, *Mr. Sutton*, and *Mrs. Clarke*.

Mr. Skeridm expressed his surprise that his honourable friend had entered on this business without more serious preparation and knowledge. When he knew that his honourable friend had in contemplation to institute the proceeding, and when he heard that he was lending him-

self to an association of the most infamous nature, he had warned him of the dangers to which he was exposed. He was sure that this honourable friend was not influenced by unworthy motives, but he was also sure that if his honourable friend knew the real character of those by whom he had been deluded, he would shrink from them with horror. Having begun, however unprovided, he must now proceed. It was impossible that such an accusation should stand over, because the evidence by which the accuser expected to support his charge could not be immediately produced. Good God! What was the business before the House? It was whether at this peculiarly important crisis, the Commander in Chief of the forces should be reprobated and impeached, or his character restored fair in the public estimation? It was a case of vital consequence.

Adjourned.

HOUSE OF LORDS.

MONDAY, FEBRUARY 6.

LORD BORINGDON'S DIVORCE BILL.

The order of the day for the second reading of the bill for annulling the marriage of the right honourable John Lord Boringdon with Augusta Lady Boringdon, having been read, the counsel for the petition were called in.

Mr. Parke briefly stated, that they attended with evidence in support of the allegations in the petition, and that they were prepared to prove the marriage, the adulterous intercourse, and the judgment in the Court of King's Bench.

Evidence heard and the bill read a second time.

HOUSE OF COMMONS.

MONDAY, FEBRUARY 6.

THANKS TO GENERAL FERGUSON.

In consequence of the vote of thanks passed by the house to the officers of the British army who served in Portugal,

Upon the appearance in his place of the gallant officer above named, the Speaker rose and addressed him to the effect following:

Lieutenant-General Ferguson. Amongst the many

high privileges enjoyed under our free constitution, it is the privilege of those officers who serve their country in the field, that they may also aid in her councils; and it always affords this house high satisfaction, to see any of those gallant officers, who are its members, after having acquired laurels in the public service, and reflected new lustre on the British name, return amongst us with increased reputation. The country, in looking to those who direct the operations of her fleets and armies, requires not only that they should possess consummate military skill, but high personal courage, and an honourable ambition to imitate the deeds of their ancestors. These, Sir, you have evinced in a degree highly eminent. Your intrepid conduct in the battle of Vimiera, and the distinguished judgment and valour displayed by you on that occasion, have entitled you to the thanks of this house, not only as an intimation of its gratitude for the past, but as a mark and note of its expectation for your further services to your country. I do therefore, in the name of the Commons of the United Kingdom, return you thanks for your skilful and gallant exertions which so eminently contributed to the success of his majesty's arms in Portugal.

To which General Ferguson answered :

I beg leave, Sir, to return my sincere thanks for the high honour this house has been pleased to confer upon me. The soldier's highest reward is the approbation of his country. I am well aware, Sir, that I owe not the honour conferred this day to any merit of my own, but to the valour of such officers and men as I had the honour and good fortune to have placed under my command, and to the eminent skill and distinguished bravery of the general under whose direction I had the honour to serve. To you, Sir, I beg leave to express particular thanks for the very handsome and too flattering manner in which you have been pleased to convey to me the sense of this house.

Ordered, that the Speaker's address, and General Ferguson's answer, be entered upon the journals.

IRISH MILITIA ACTS.

Sir Arthur Wellesley also, in pursuance of notice, moved for leave to bring in a bill for amending and reducing into one, the several acts for raising and training the militia in Ireland. The first act respecting the militia in Ireland had been passed in the year 1793, but the pro-

visions which were then found efficient for the raising and training the then first raised militia in that country were afterwards found inadequate when the militia had once been embodied. Consequently, several acts had been passed in the Irish parliament, and since in the imperial parliament, to amend the act of 1793. In these acts there were many provisions which were inconsistent and contradictory; and in bringing forward the measure he proposed, his object was to reduce them all into one, and to amend and class under proper heads the different provisions they contained. Another object he had in view was, to amend the law, as it now stands, respecting the oath taken by militiamen upon their enlistment. A doubt was entertained whether the men who took the present oath were bound to serve only for five years, or during the war, and this doubt his measure was to remove. Another object he proposed by his bill related to the ballot. As the law at present stood, the governors and deputy governors of counties had no power of compulsion to alter the lists; which he proposed to amend by giving such power, whenever the lord lieutenant shall call for the alteration of the lists. Another provision he meant to introduce was, to enable the lord lieutenant to substitute the mode of parish assessments for the ballot; and also to authorise the governors to raise men for the militia by volunteering. These were the principal provisions of the bill he proposed to bring in, and which he had, since last session, submitted to the consideration of the lord lieutenant and country gentlemen of Ireland, and taken their sense upon them; it was his intention, after the first and second reading of the bill, to suffer it to lie over for a month, in order to give gentlemen time to form a judgment upon its contents. He concluded by moving for leave to bring in the bill; when leave was given.

RETURNS OF THE ARMY FROM SPAIN.

Lord Temple, finding that no objection would be made to his motions, did not think it necessary to trouble the house with any introductory observations, but should move, that an humble address be presented to his majesty, that he would be graciously pleased to order the following returns to be laid before the house:

1. A return of the number of officers, serjeants, cor-

porals, drummers, and rank and file, of all corps of infantry which had been embarked from any port of Great Britain and Ireland, or from Gibraltar, for Portugal or Spain, since May 1, 1808; and also a return of all officers, &c. of said corps as had been relanded, not disabled for service, in any port of Great Britain or Ireland.

2. A similar return of all regiments of cavalry, together with the number of horses.

3. A similar return of the corps of artillery, with the number of horses, and waggon and draft horses.

4. A similar return of the whole of the staff in Spain and Portugal, including the number, and specifying the expenses thereof.

5. The number and tonnage of all transports employed in conveying the army, ammunition, military stores, &c. together with the expence of freight and tonnage.

6. A return of all monies, arms, military stores, and other articles, which had been sent to Spain or Portugal, from the 1st of May, 1808, to the present time, distinguishing the ports from and to which they had been sent, and also whether in ships of war or transports, and copies or extracts of all communications from naval or military officers, acknowledging the receipt of the same, together with an account of all sums of money which had been raised by negotiating bills of exchange payable in this country for the use of the inhabitants of Spain.

7. An account of all ordnance and regimental baggage which had been lost or taken during the late campaign.

The motions were all agreed to, without any opposition. But on the latter being put, Mr. Huskisson stated, that no more than thirty or forty thousand pounds had been lost, perhaps less, during the campaign:

OFFICE OF CHIEF SECRETARY FOR IRELAND.

Mr. Whitbread, in submitting the motion, of which he had given notice, should have occasion to trouble the house but shortly, in order to obtain its approbation of the proposition he had to make. During the late campaign a most extraordinary circumstance had taken place, both here and in Ireland, to which he wished to call the attention of the house. The chief secretary for Ireland, and the under secretary of state, both gallant and distin-

gallant officers, had been employed in the military service of their country, and suffered still to retain the civil employments they before held, though it was impossible for them to perform any of the duties annexed to them. He admitted, that in either capacity the country could not be better served; but contended that no office should be held by any person whose absence made it impossible for him to execute its duties. When the war department required every exertion of every public officer, it could not be maintained that the under-secretary of state for that department, and the chief secretary for Ireland, could be absent from their offices without material injury to the public service. He had asked a question of the noble lord (Castlereagh) opposite, before his gallant relation had returned, and whilst the other gallant officer was attending the duties of his office in Ireland. The answer respecting the former was most satisfactory, but though it was not his intention to say a word upon that subject in this instance, he must be allowed to say that he thought the noble lord ought to have filled up the appointment during the absence of his relation. The answer respecting the other gallant officer was not equally satisfactory. He allowed that no person possessed in a more eminent degree every qualification for the distinguished command to which he had been appointed, and was equally ready to give him the greatest credit for the manner in which he executed, and the attention which he paid to, the duties of his office of chief secretary for Ireland. But, though he was convinced that no person was better qualified for either situation than that gallant officer, he could never admit, that whilst fighting the battles of his country in Portugal, he was a fit person to retain the office of chief secretary for Ireland. He was sure that gallant officer was too much alive to true glory, to wish that any injurious precedent should be established by any circumstance connected with his individual interests. He might appeal to the chair respecting the duties and emoluments of the office of chief secretary, as that office had been held by the distinguished person in the chair, whose mind had ever been more fixed on the duties than the emoluments of the office. It was to him that the public was indebted for having the duties defined, and the emoluments brought forward to public inspection. Though the emoluments were considerable, he did

not mean to say that they were greater than the situation merited; but he must insist that if no duties were performed, the public ought not to be called upon to pay. A great deal had been said about the necessity of keeping up the establishment of the office. For his part he was no friend to a paltry economy, but was of opinion that every public officer from the highest to the lowest ought to be paid in proportion to his services. All ought to be liberally remunerated; but then the duties ought to be performed. They had been told that the lord lieutenant was to have appointed a successor to the gallant officer, whenever he should think it fit or necessary. It was naturally to have been expected that the expedition to Zealand would have lasted but a short time, but yet it was his opinion that the office ought to have been even in that instance filled up. From the extensive disturbances which prevailed last summer in Ireland, and the laborious duties of the office being of a two-fold description, both civil and military, together with the weight of correspondence to be sustained, it was not too much for the public to demand, that the efficient members of the government should remain upon the spot. As to the stipulation of the gallant officer, when appointed to the office, that he should not be required to continue secretary, if he should be appointed to any active military command, he could easily give him credit for the feeling which gave preference to military glory. When he had been appointed to his late command, it never could have been expected that it would have been so short as it afterwards turned out, and when the gallant officer had accepted of the command, he should have resigned his civil office, and insisted on a successor being appointed. But as on his return the emoluments of the office would have ceased, if a successor had been appointed, why, he would ask, should they not have ceased as he had not performed the duties? The gallant officer had said that he was not richer from his salary. That he believed, as he did not suppose that any person accepted an office with a view to pecuniary emolument, but rather as an object of honourable ambition. He should not take up more of the time of the house, and if he had been allowed to make a few observations on a former night, he should not have made any motion at all. The resolution he had to submit, he trusted, would be placed on the journals and become the

means of preventing any person hereafter, whatever his abilities might be, from occupying two incompatible places. The honourable gentleman concluded by moving a resolution, "that the office of chief secretary for Ireland is an office of high responsibility, and ought not to be held by any person absent from the realm, and that the emolument of it ought not to be paid to any person unable to perform the duties."

On the question being put,

Sir Arthur Wellesley begged leave to repeat what he had said on a former night upon this subject, and more especially as what he had then said had been misrepresented. When first appointed to the office which he now had the honour to fill, it had been clearly understood by the noble lord at the head of the Irish government, by his noble and honourable friends near him, and by the illustrious person at the head of the army, that his appointment should not preclude him from accepting any military employment in the service of his country. Under these circumstances, when the expedition to Zealand took place, he was employed in it, and also on the expedition to Portugal; and on both occasions it had been clearly understood that he had relinquished all claim to the civil office, if a successor should be appointed. He had retained the office solely at the desire of the lord lieutenant, who thought that he could assist him effectually, as he had already done, by the regulations which he had suggested. The resolution of the honourable member went to declare, that a certain efficient government should at all times exist in Ireland. He was not disposed to dispute the truth of the abstract proposition; but he would ask the house to pause before it voted such a proposition, and to inquire whether any inconvenience had resulted from his absence, and whether in consequence there had not been an efficient government in Ireland. He would ask the honourable gentleman whether any public business had been delayed even twenty-four hours, or whether all the affairs of the government had not gone on without interruption? Had not the regulations which he had arranged with his grace the Duke of Richmond, for the various departments of the state, been carried into effect, and the public service been thereby promoted without intermission? Under these circumstances, he would ask the house to pause before it should vote this abstract proposition, particularly as no incon-

venience had resulted from his absence. As to the salary of chief secretary, he allowed it to be large, more even than the salary of a secretary of state. But then the Irish secretary had not the same run for situation, character, and consideration as a secretary of state, and consequently the salary was given to him not so much for performing the duties, as to enable him to maintain the situation and the character that belonged to it. When he had proceeded to Portugal, the lord lieutenant was desirous that he should retain the office of secretary, at the same time declaring, that if he did not return within a certain time, a successor should be appointed. It was at that time uncertain whether he should ever return; but when he did return, as no successor had been appointed, he certainly considered himself entitled to the emoluments of the office. The honourable gentleman had said, that if on returning he found another had been appointed, he would not have received the emoluments, and inferred from that, that as he had not performed the duties, he should not receive the salary. Unquestionably, if another had been appointed, he should not have received the salary; but then he would not have the establishment to maintain, and as whether absent or present, the expence of that establishment was defrayed by him, he had taken the salary. He had trespassed too much upon the attention of the house; but if he had ever supposed that the circumstance would have attracted attention, or that he had not a right to the salary, he should never have received it. The example of his gallant friend he most certainly approved, but he had not thought it right to return the emoluments he had received, because he would not have it supposed that he would shrink from the discussion of any act of his in that house. He could assure the house, however, that he should in no future instance consent to hold his office in the event of his being appointed to a military command.

[Sir Arthur Wellesley then bowed to the chair, and withdrew.]

The Chancellor of the Exchequer rose, rather for the purpose of moving the previous question, than to confirm the statement of his gallant friend, which could not need any thing to aid its credit with the house. It was undoubtedly well understood, both here and in Ireland, that if any inconvenience had been felt, another would have been appointed. But so urgent had been the desire

of the Duke of Richmond, and of his majesty's ministers here, that the gallant general should retain the office, that a successor had not been appointed, because no inconvenience had been felt. If blame was imputable any where, it was not to the honourable officer, but to his majesty's government. He saw no necessity for the resolution, and therefore, moved the previous question.

The previous question was then carried without a division.

MR. JEFFERY.

Lord Folkestone moved the order of the day, for resuming the adjourned debate, on the motion that the Speaker do issue his warrant for a new writ for Poole, in the room of Mr. Jeffery, who had accepted the office of consul general in Portugal.

On the debate being resumed, the question was put that a new writ be issued.

Mr. Banks observed, that, having given this subject the fullest consideration, he was prepared to state some arguments upon it, if the question had given rise to discussion. The house would not be surprised if the consideration of this question led him to call its attention to the third report of the committee of finance, which he had the honour to present to the house at the close of last session: and something had happened within the present session which more particularly called upon him to advert to that report. There was in that report a suggestion respecting those, who having been ministers at foreign courts, were enjoying pensions for their services. Whether any further reports should be made from that committee, it was not for him to say, as it appeared that he would not be entrusted in the committee without eight or ten guardians of the constitution to assist him. [*Hear! hear! hear!*] The suggestion in the report recommended, that foreign ministers should in future be supplied by a selection from those who were now enjoying pensions for past services. Yet, since the report was presented, three new appointments had taken place, and the last gazette added two more to the number, without any one of them having been selected from those who had acquired experience in their line. Upon any principle of public economy, it would be obvious that, generally speaking, such persons alone ought to be appointed, because their pen-

sions would then cease, and so far a beneficial saving accrue to the public. The suggestion was certainly not presumptuous, because, though it recommended the selection generally, it did not exclude deviations from the rule whenever circumstances might render them desirable. It would be found upon a reference to the report, that the number of persons of the description he alluded to, who were enjoying pensions as stated by him, amounted to between forty and fifty, having a revenue of between fifty and sixty thousand pounds annually out of the public purse. It was not his intention or wish to object to the pensions enjoyed by any of those persons, but certainly he was convinced that in granting such pensions, regard ought always to be had to the duration of service. Of the five who had been appointed, two were members of that house; and certainly he did not mean to speak of either with disrespect, still less of Lord Amherst who was another of them. But when there were so many as forty or fifty pensioners who had the advantage of experience, it was surprising that no one of the new appointments had been filled up from that list, as their pensions would cease whilst they continued in office. In Mr. Burke's bill there was an express provision that, in granting such pensions, regard should be had to the duration of service. But, he was sorry to add, that in latter times this bill had been broken in upon. He did not mean invidiously to mention names, though there certainly appeared a few names on the list of pensions whose length of service did not appear to entitle them to the amount of pension granted to them. When we scarcely knew where to send ministers, it seemed to be rather a singular moment for sending out persons without experience, when we had so many retired foreign ministers from whom to select them.

Mr. Secretary Canning freely acquitted his right honourable friend of any unfair or uncandid intention in introducing collaterally so many topics on which it was impossible that he could be perfectly prepared to answer, when mentioned so unexpectedly. The cases which he had mentioned were not at all analogous to the case now under consideration. He was now ready to admit that Mr. Jeffery had vacated his seat, and when it was considered how short a time it was likely that he would retain his consulship, the friends of that gentleman would probably think that he had made a very wrong choice when

he took his appointment. His right honourable friend (Mr. Banks) had however completely mistaken the common practice, when he supposed that the appointment to the situation of consul, or secretary of legation, necessarily gave a man a claim or remuneration from the public when his office ceased. The fact was, that pensions were never granted to men for having filled the situation of consul, except under very special circumstances. The appointment of Mr. Jeffrey would not have cost the country a single farthing, and although a salary was specified of 1500*l.* per annum, it was because the fees of the office amounted to a much greater sum; and the arrangement was not made with the view of giving Mr. Jeffrey any salary out of the public purse, but for the purpose of applying some part of the established profits of the consulate of Lisbon to the advantage of the country in another way. It was indeed desirable, in some respects, to give fixed salaries to the consuls in the manner that was done to the American consuls, in order that the government should have the right of restraining them from embarking in trade. It was thought that the excess of the fees of the consulate at Lisbon, above the amount of the 1500*l.* per annum would have been sufficient to have paid fixed salaries to our consuls at Oporto, St. Ubes, Faro, and any other port in Portugal where it was necessary to have consuls; and by giving them fixed salaries, they might be restrained from engaging in commerce. There certainly was not the slightest idea in the appointment of Mr. Jeffrey, of giving that gentleman any claim upon the country for a pension. The right honourable gentleman was mistaken in supposing that many of the old lists of consuls and secretaries of legation had been pensioned. He believed there was hardly a single instance of it. As for the part that he was responsible for, he could venture to say, that as to those engaged in the lower parts of diplomacy, he had hardly removed one; and there were striking instances, where he had allowed those to remain in the high situation of ambassadors, where political connections were rather with the gentlemen on the other side of the house. The only ambassador he appointed in the place of the former, was Lord G. Levison Gower, in the place of the Marquis of Douglas. The situation of this country and of Russia was at that time such that it

was necessary to have an ambassador with whom he could have the most confidential intercourse. Neither of these noble lords had since returned to burden the pension list. He removed no other man without some special reason, except Mr. Drummond; and if he had appointed Lord Amherst to a diplomatic situation, it was certainly not with the least idea of his ever claiming a pension for his services, and he would venture to say, that however he might have sinned in the appointments he made, his sin was not against public economy. He then defended the appointments of Mr. Villiers to Portugal, and of Mr. Douglas to Sicily. The latter had been private secretary to Lord Pembroke, and was a young man of considerable attention to business. He would never allow the principle that until all the old diplomatists are exhausted and used up, that no young men of talents and attention to business should be taken as recruits.

Mr. Banks cited the instance of a secretary of legation at Dresden who had been pensioned, and of a Mr. Drake, who had been consul at Venice, having been also pensioned. He instanced the same thing in the cases of the consuls at Algiers, Tripoli, and Tunis.

Mr. Secretary Canning explained. The pension of the first had been granted under peculiar circumstances. It was to a man very far advanced in years, who had been 40 years in the public service. Mr. Drake, the consul at Venice, lost the whole of his fortune on the subversion of the Venetian government. He recommended that he should have a pension, not on the ground of right, but as a case of compassion. In this application he did not succeed.

Mr. Rose allowed that the seat of Mr. Jeffrey was vacated by his acceptance of the appointment.

Mr. Johnstone thought, that if ever the old system of things returned in Europe, and all our consuls were paid fine salaries, they should not be allowed to sit in that house, or otherwise ministers could bring their consuls from Flanders to vote as readily as their friends from Ireland or the Orkneys.

Mr. Huskisson said, that the consul at Venice, on account of his great losses, received a pension not as a consul, but from the civil list. The consuls at Algiers, Tripoli, and Tunis, might be considered diplomatic characters in those places.

The question was then put, and a new writ was ordered for the borough of Poole.

Mr. Huskisson moved resolutions in the committee of ways and means, pursuant to the resolutions which had been passed in the committee of supply, continuing the malt tax, the pension duty, and other annual taxes; and also for raising by loan on exchequer bills for the service of the year, the sums of 10,500,000*l.* and 1,500,000*l.*

The committee of supply was postponed.

MILITIA ENLISTMENT BILL.

The bill was read a second time. Upon the question for the Speaker's leaving the chair,

Sir T. Turtton said, that he by no means felt himself pledged to agree to an augmentation of the army, unless the necessity of such augmentation could be made out. The noble lord had only said that the country might be placed in circumstances where a greater disposable force would be necessary. He could hardly guess that those circumstances could be, when we are told that we have a regular army of 210,000 men, of which 124,000 had been voted for Great Britain and Ireland. Besides this great force, it was also known that upon any emergency, 25,000 men could be got from the militia. He therefore wished the noble lord to point out what probability there was of the country ever wanting a greater disposable force than it now possesses.

Mr. Herbert spoke at some length in support of the ideas he had before stated of endeavouring to induce the militia of every part of the united kingdom to volunteer their services to any other part of it. He was convinced that the militia from the distant parts that were brought up to the metropolis returned considerably improved in every respect both moral and religious. They acquired a greater attachment for their common country, and were more willing to defend it. After dwelling for some time on the advantages of an interchange of service between the English and Irish militia, he said, he should propose a clause in the bill to that effect.

Lord Castlereagh said, that such a clause would not apply to the present bill, which was for the augmentation of the regular army. It could better be proposed when the other bill should be before the house, for raising men to supply the deficiencies which this measure would occa-

sion in the militia. The honourable gentleman must, however, perceive, how repugnant such a clause would be to the feelings of many militia officers.

The bill then went through the committee without any material alteration, and the report was ordered to be received on Thursday next.

MALT DISTILLERY BILL.

The Chancellor of the Exchequer moved the second reading of the malt distillery bill.

Sir James Hall said, that he conceived that distillery and exportation of corn amounted precisely to the same thing to the country. It was of no consequence whether the corn was put into a still, or whether it was sent out of the country. He thought the great point was, that there should not be too great a glut in the market. There were two bad consequences which resulted from too great a plenty of corn at the market. In the first place, it injured the farmer, by not allowing him a sufficient profit; and in the second place, it encouraged an exuberance of population which must be fed. He thought an exuberance of population was a great evil to a country, as times of scarcity might come when they could not obtain food.

The order of the day having been read for the second reading of the distillery bill,

Sir J. Hall rose to oppose it on the ground he had formerly done; viz. that it was a bill which in its principle and tendency was adverse to the agricultural interests of the country; and ought not therefore to be continued, without very sufficient reasons being given for such a measure. He was more particular in this opinion at the present moment, as he understood that by the present bill Ireland was to be exempted from its operation; a measure which he thought was by no means just or fair; for as it was intended as a matter of accommodation and benefit to the West India interests, he thought that both countries ought to bear an equal proportion of the burden on their agricultural concerns.

Mr. Foster said the honourable gentleman did not put the question on its fair and proper ground. The circumstances of Ireland, with regard to grain, were different from those of this country, especially that part called Scotland, the distillers of which could sell their spirits

after exporting them to Ireland, more than 2s. a gallon lower than those of Ireland, which was a most serious grievance to the legal distillers of that part of the empire, and gave encouragement to private stills, by which means a great quantity of grain was consumed, for the private distillations were all from grain, and the revenue was at the same time deprived both of the duty on the malt and the duty on the spirits.

Several other members spoke, and the bill was then read a second time, and ordered to be committed on Thursday.

Adjourned.

HOUSE OF LORDS.

TUESDAY, FEB. 7.

Their lordships having met at an early hour, the house resolved itself into a committee on the Borringdon divorce bill. Counsel were heard at the bar on the part of Lady Borringdon. Several amendments were agreed to, and the bill was reported, and ordered to be read a third time on Thursday next. A temporary adjournment took place until five o'clock.

THE DUKE OF YORK.

The house being resumed, his Royal Highness the Duke of Kent observed, that he thought it necessary to address a few words to their lordships, in consequence of some documents that were before the house. It had been insinuated that he had given his sanction to the charges which were made against an illustrious relative of his. He begged to disclaim, on his own part, being any way privy to these imputations. He did not believe them; he was convinced the illustrious person at the head of the army was incapable of such practices as those of which he was accused. He could also take upon him to say, that the whole of that illustrious person's family were of the same opinion, and that there was not the smallest foundation for the rumours that there was a schism in that family respecting these charges, or on any other subject.

Lord Grenville deferred his motion respecting America until Tuesday, when he hoped every necessary information would be before the house. His lordship concluded with moving for an account of duties levied on exports in the course of the last year, in consequence of the orders in council.

The Earl of Liverpool replied, that every information in the power of ministers should be granted; but as it would be necessary to send to the out-ports, he feared the returns up to the 5th January could not be prepared in time. His lordship moved that an account of the produce of the consolidated fund for the four quarters ending the 5th January, 1809, comparing them with the four respective quarters of the two preceding years, be laid before the house.

STATE OF THE NATION.

The order of the day for summoning their lordships having been read,

Earl Grosvenor said, that he rose for the purpose of submitting to their lordships the motion of which he had given notice some days ago. After the recommendation in the speech, at the opening of the session—after the repeated declarations of ministers, that they were willing every part of their conduct should undergo the strictest investigation, he could not have expected that the smallest objection could be made to the motion he intended to make. Rumours, however, had reached his ears since he came down, that it was intended to oppose it. If it should appear that ministers had disappointed the hopes and expectations of the nation, it was his intention to follow up his motion by an address to remove them. The important, or rather the calamitous, events that have recently occurred—the portentous state of all Europe—must have made a deep impression on the minds of their lordships. If it should appear that these calamities were principally owing to ministers having misemployed the resources of the nation, there could be no difference of opinion as to the necessity of immediately placing the guidance of the national concerns in abler hands. Before he went into the consideration of the last campaign, he was anxious to direct their attention to some other subjects. It was now upwards of twenty years since the revolution broke out in France, and in the course of that time the consequences of it had been felt by every nation in all Europe. This nation, in consequence of that revolution, had now suffered for seventeen years, with the intermission of only a few months, the calamities of war. The question was not whether peace with France, as France now is, would be a benefit. For himself, he entertained no hope of peace as long as the hostile mind existed in the ruler of that country. What advantage had been

derived from the last peace? Was it not a peace of distress, of suspicion, of expence? Was there any thing desirable in a peace of that description? No: we must make up our minds to a long and arduous struggle. In any peace that we should make with France, constituted as she at present is, all her energy would be directed in the interval to prepare the means of new hostility, to sap the foundation of our commerce, and to diminish our revenues and our maritime preponderance, both of which were the result of that commerce. The system of France was regular and undeviating. The vast power she has acquired within these few years, was as much owing to her political dexterity as the victories she has obtained. The way for her triumphs was prepared by the total overthrow of the moral and political feelings of the countries whose subjugation she meditated. See what influence Buonaparte has acquired over the Emperor of Russia—how he has induced him to view with complacency acts from which a liberal mind would have shrunk back with horror—how he has induced him to sign the letter which was lately laid on the table! The calamities of Europe are ascribed in that letter to the stagnation of maritime commerce. Is it to the stagnation of maritime commerce that the overthrow of the Germanic Empire, the incorporation of Italy, the subjugation of Switzerland, the overthrow of the independence of Holland, the war between Sweden and Russia, the distracted state of the Ottoman Empire, and the atrocious attack on Spain; are to be attributed? Is it to these, or to the insatiable ambition of every government which has been in France since the commencement of the revolution? Though it was not perfectly regular, to allude in that house to what had passed in another place, he could not refrain from taking notice of something that had lately occurred. It was stated that a conspiracy existed to write down every thing that was noble or illustrious in the country. He was not quite persuaded that such a conspiracy existed, but it was impossible for him to shut his eyes to the licentious and petulant paragraphs of which the press could furnish daily examples. In one of these, a noble friend of his (Lord Grenville) was stigmatized on account of some expressions that fell from him in that house in the course of debate, as an abettor of the system of Buonaparte. He lamented that such a blessing as a free press should produce such evils; but if the existing laws were not ade-

quate to repress or correct them, it was high time that the legislature should interpose. He would now make a few observations on the campaign in Spain, as that was a principal motive for inducing him to submit his motion to their lordships. Ministers from the beginning appeared to have made up their minds as to the kind of warfare they were disposed to wage. They anticipated triumph, victory, glory. They declared in the Speech at the conclusion of the session, that in the assistance they intended to give, they would be solely guided by the wishes of the Spanish nation. After having disappointed the expectations of Sweden—after having by promises of assistance induced his Swedish Majesty to suspend the efforts which he would otherwise have made, they recalled the troops that had been sent to co-operate with him, and to this day there was no explanation of any misunderstanding that produced this vacillation in their councils. Before they sent out their expedition, why was it not understood that troops were to be placed under the immediate command of the King of Sweden? The same misconduct was visible in the naval campaign in the Baltic. We had 18 sail of the line in that sea, and yet only two of these were found at a most critical moment acting with the Swedish fleet. The number of frigates in that sea was very deficient; and it was in a great measure owing to that deficiency, that the Russian fleet was able to come out and return with so little loss to their ports. [His lordship next adverted to the conduct of the campaign in Spain.] Never, said he, was there an occasion in which the people of this country were so willing to second the views of ministers. The whole nation entertained but one sentiment on the subject, and that was, that the cause of Spain should succeed. The general expression was, that every exertion should be made to assist a great nation struggling for its independence. What was the conduct of ministers? Must they not have been aware that failure would have led to the greatest exultation on the part of the ruler of France? Instead, therefore, of driving the French out of Portugal, they should have assisted the Spaniards to drive the French out of Spain. Ministers, however, pursued a different course. With respect to the points of the armistice and convention, they had been so fully considered before, that he should not now allude to them: he must, however, express his disapprobation of the answer returned to the address from the Citizens of London, as

well as the institution of the board of inquiry. No satisfactory result could have been expected from it. He also must condemn the recommendation, or the order rather, contained in the letter from the noble lord at the head of the war department to Sir Hew Dalrymple. It would have been a more manly proceeding to have placed Sir A. Wellesley at once at the head of the army in Portugal, than to enjoin that he should be consulted on every occasion. Why did not ministers follow the example of Lord Spencer, who sent Lord Nelson to Egypt, to the prejudice of a senior officer, and by that judicious appointment enabled us to gain the glorious victory of the Nile. An opinion prevailed, that it would have been more consistent with policy to have sent the army to the south of Spain, in the first instance. Ministers, however, adopted another plan. The convention of Cintra was signed on the 30th of August; and yet, notwithstanding the critical situation of affairs in Spain, and the urgency of giving the most prompt assistance to the people of that country, not a single British soldier marched from Portugal until the beginning of October. When they did send an army into Spain, though they had transports enough in the Tagus to have conveyed them in a few days to Galicia, or Asturias, they sent them by land. It seemed, throughout the whole of this ill-fated expedition, as if the evil genius of England directed every instruction and impulse that was given to that army. After a pause of some weeks, it made a movement in advance. Again it made a second movement. We might have derived some consolation for the calamitous consequences that resulted from these ill-advised operations, if our armies had marched into the country to make a noble stand; but instead of this, they marched into the heart of Spain, with the moral certainty of being obliged to retreat. The result of that retreat was fresh in their lordships' recollection. The army lost 4000 horses, the best that could be provided for the species of service to which they were destined; ammunition to an enormous amount was destroyed; some of the finest artillery in Europe was spiked, the army at the time so dissatisfied as to be nearly in a state of mutiny; officers marching without shoes or stockings, and some of them, the most promising in the service, (he alluded to General Anstruther) falling the victims of mental anguish and excessive fatigue. Having reached the ultimate point of retreat, they were detained five days

waiting for transports, which, by arriving sooner, would have prevented all the blood that was shed in the gallant action before Corunna. Was it necessary that all these sacrifices should have been made to prove the valorous spirit of Englishmen? [The noble earl next adverted to the treaty with the Junta, and asked when ministers expected it would arrive, or whether it would arrive at all. He trusted they would have no objection to communicate the substance of that treaty, and that they would take care to secure the fleets of Spain, or at least take care that those of France should not again come into the possession of the ruler of France.] He was one of those who hoped the affairs of Spain were not desperate; but he was persuaded, that their success must depend rather on the exertions of Spain, than on any assistance we could send her. His lordship concluded with moving, that the house should resolve itself into a committee, to consider the state of the nation.

The Duke of Montrose was of opinion that the motion of the noble Earl ought not to be entertained by their lordships. He had gone in a very desultory manner into a variety of topics; and if the house should grant the committee, two sessions would not be sufficient for the inquiry proposed. The noble earl appeared to him to be totally uninformed on most of the subjects to which he adverted in the course of his speech. He agreed, however, as to the impropriety of the presumptuous reflections thrown out against a noble friend of his, the practice of whose life was in direct opposition to those indecorous observations. He was happy to learn, that if these presumptuous observations were carried to certain points, they will be punished; but as to the necessity of any particular legislative provision, he would reserve his opinion until a case was made out. The noble duke justified the government for not having interfered in the internal concerns of Spain, and for having been entirely guided by the wishes of their allies in the conduct of the campaign. Any interference of that kind must have excited the indignation of the people of that country, and have authorised them to say, give us your assistance, but leave us to model our own constitution as we please. The plan of the campaign he contended was the best adapted to assist the Spaniards that could have been devised. The British army entered Spain under the expectation that either the army of Blake

or Castanos, or both, would have joined it, but unfortunately they were no more. They engaged in pitched battles with the enemy, the consequence of which was that they were defeated and dispersed. Our army having no support was therefore under the necessity of retreating. He must oppose the motion as being of too general and indefinite a nature.

Lord Darnley expected that a number of their lordships would have started forward to express their opinion of the serious disasters that occurred since the conclusion of last session—disasters, which, he contended, were solely to be attributed to the misconduct of ministers. He expected that, in point of decency, ministers would have laid documents before the house to enable their lordships to decide upon those charges which they had professed themselves so ready to meet. What hope could they have entertained that they would be able to stop the career of Buonaparte in Spain? For his own part, he never expected Spain would do any thing, when he saw that all their force was incompetent to expel the French troops that had retired into Biscay and Navarre.

Lord Grenville observed, that the motion brought forward was particularly calculated to meet all the objections made by his noble friend. Through whatever quarter opposition came, he did not expect it to proceed from ministers, when the last sound he heard uttered by them in that house was a challenge to inquiry. Were their lordships to be deterred by the labour that might possibly attend the proposed investigation from entering into it? As to the mode proposed being unparliamentary, or at all contrary to the practice of the house, it was so far from it, that it would be seen, on reference to the journals, that a committee of the kind was granted during the American war. The instance he alluded to was the surrender of Lord Cornwallis's army, the greatest disaster that occurred next to the recent events in Spain. It was the practice of the house to pursue inquiry in the precise mode recommended by his noble friend. There was no mode more parliamentary of affording ministry an opportunity of meeting the investigation they affected to challenge. One new ground for inquiry had arisen since last he addressed them. Circumstances had occurred to impress the public with an opinion that ministers intended to rest their case upon the discretion of an officer employed by them, and that officer now

no more. If any circumstance more imperiously than another called for examination, it was this very circumstance. No small pains had been taken to convince the public that the measures that were taken were not in consequence of the orders of government, but the result of the discretion of individual officers. Let the truth be known. He trusted that, in justice to the memory of that officer who had fallen for his country, the whole conduct of the Spanish campaign would be speedily investigated. It was to bring this before their lordships, that his noble friend had proposed the motion which they would be called upon to reject. The convention he thought was blameable, rather officially than in a military point of view. The occurrences in Sweden, were swallowed up in the paramount importance of the events in Spain; but it would be for ministers to explain why the commander of the British forces was under the necessity of making his escape in disguise, to avoid the indignities to which he might be exposed. There was no more parliamentary mode of pursuing all these important inquiries than that proposed. The objections made would have been valid, if their lordships had been called upon to condemn without inquiry: to make what is called a short question of it, and bring it at once to the test of numbers.

Lord Eldon stated, that ministers were not disposed to draw back from inquiry. The object of the motion was not to go into an examination of particular subjects, but to take under their consideration the state of the country. For twenty-five years that he had experience of the proceedings in parliament, he knew of no instance in which such a motion had been acceded to. He had even the authority of the noble baron who spoke last for rejecting it. The Cintra convention, the conduct of the war in Spain, these were tangible subjects, and therefore proper matter for a motion; but he could not agree to grant a committee upon undefined objects. He could agree to no motion of so general a nature. If the noble earl would move for any information respecting the convention, or Spain, or any other subject fit for their lordships to entertain and discuss, he might have it; but he deprecated that he or his colleagues in office, should be met with these dark and carping insinuations. Let ministers be censured if they deserve it; if not, acquit them. In a committee of the nature proposed, it would be competent for any

noble lord to discuss the liberty of the press, or any other subject, though not matter of immediate charge against ministers. On the subject of the liberty of the press, he might be allowed to make a few observations. The law of the country was equal to correct and put down any licentiousness of the press, whenever it should become necessary; but that licentiousness could not be suppressed without hurting the liberty of the press. If his lordship would amend his motion, he would have no objection to agree to it. If he will state that he means to go into an inquiry of the convention of Cintra, the manner in which the war has been conducted in Spain, or any other subject, there will be no objection to grant him all the information he may desire, and he could assure the noble earl there would be no unwillingness in ministers to meet him on these specific charges, or any other he might think proper to bring forward; but let him not go into a scrutiny of their conduct without having the documents necessary to form a decision before the house.

Lord Erskine supported the motion. The events which had occurred since the close of the last session, justified the appointment of such a committee as the noble earl proposed. He agreed with his noble friend on the woolsack, that the law, as it now stood, was fully equal to the protection of individual character, and the character of the state. Nobody could suppose, that if the house went into the consideration of the state of the nation, it would have any thing to do with the liberty of the British press. It would be easy to state what particular subjects the committee might sit upon, if the motion were granted; but he begged that his noble friend might not be "cabined, cribbed, or confined" in his inquiry, and that if it should be thought prudent that he should make no allusion to Sweden, he should not be precluded from inquiring into what took place in Portugal.

Lord Grosvenor professed his readiness to frame his motion in any shape calculated to bring the important subjects he should mention before their lordships.

Lord Liverpool said, that during the last twenty years, in all the calamities and vicissitudes which arose in that period, whether from misconduct or misfortune, there was no instance of a such a motion being agreed to as that proposed by the noble lord. In the course of that time, repeated motions of the nature of that brought forward had

been proposed, and they were invariably resisted by the noble lord on principles in which he completely agreed with him. The chief ground for resisting them was the indefinite nature of such motion. He would not say that cases might not occur in which such a committee might be necessary, but when that should not happen, it should give way to a course less subject to inconvenience. If ministers wished to shrink from inquiry, there was no mode better adapted for it than the one proposed; no mode better adapted to defeat discussion; no mode better calculated to confound and confuse all inquiry, could be adopted. The ordinary and regular course would be to adhere to the practice of parliament; to call for information first, and then to follow it by a specific motion of censure, if he should be warranted by the nature of that information. Let the house get at the facts, and then they would know how to proceed. The noble earl, who made the motion, had dwelt much upon the great losses in men, ammunition, horses, and artillery, sustained in Spain. As far as he could follow him in those facts, and others respecting the march of the troops from Portugal, and the movements in Spain, there was not one of these facts, at least one which was material, in which the noble earl was not incorrect. How necessary was it, therefore, that before he called for a committee, their lordships should be put in possession of the true state of the facts. For his part, he was disposed to give him every information consistent with his duty to the public. With respect to Spain or Portugal, ministers would have no reserve as to the extent of the information they were disposed to grant, but they could not exercise equal liberality in what related to Sweden. They would not shrink from investigation on any points from which public inconvenience was not likely to arise.

The Earl of Moira said, he thought nothing could be fairer than the argument used by his noble and learned friend (Lord Erskine), which had shewn, beyond the power of contradiction, that such a committee as had been moved for by the noble earl ought, in the present instance, to be appointed, and that the circumstances of the country loudly called for it. For his own part, he was convinced, that whatever the judgment of the house might be, the verdict of the country would be given on the decision of the house that night. Nothing could, in his mind, be

clearer than the misconduct of his majesty's present ministers. That which he charged them with was so palpable and glaring, that it stared every man in the face, and must in the eyes of the public weigh heavily against them unless they consented to clear themselves by a fair and full investigation of the measures they had adopted and pursued. It was very extraordinary that they who said they wished nothing so much as investigation, and that they would court it in every shape, should have so great an aversion against the committee then moved for; it was idle to talk of their calling for information. Ministers ought not to give noble lords on that side of the house the trouble of calling for such information, but should themselves bring it forward, and not narrow the ground by cavilling at technical forms and phrases, and pretending that this kind of committee was not that which was properly adapted to the occasion. He would, however, state one instance of what he thought obvious misconduct, and that was the case of the King of Sweden. After having encouraged and drawn him into a quarrel and come to a rupture with Russia, they had, almost in the first instance, abandoned him and his interests by recalling the army that had been sent to his assistance, and which, after being several weeks in the Baltic without having at all assisted him, was brought back, and he left to finish the unequal contest by himself. It must also be remembered in what an unfavourable and hostile disposition they had placed Denmark against us, so that nothing could be more unfavourable than the present state of the Baltic. Turn which way we would, the prospect was the same, and bore the like gloomy and dreary aspect. What was our situation with regard to America? and how had ministers acted towards that country? They knew in the beginning of the year, when they first began with Sweden, that they had every reason to expect a war with America. It was a case which touched the honour as well as the interests and commerce of the Americans; and there could not, therefore, be any thing more likely to happen. What, then, was likely to be the situation and state of Ireland, and that immensely important branch of trade and revenue, the linen manufactory? If the people of Ireland could not obtain flax seed from America, and we should also be shut out of the Baltic, the melancholy and dreadful consequence would follow, that there would

be nearly half a million of people reduced to poverty and ruin ; and all this was likely to happen from the inattention and abandonment of the interests of the King of Sweden. His lordship then adverted to the universal feeling of warmth and enthusiasm which the whole of this country had evinced last Spring in favour of Spain. Never was any thing known so general, so animated, and so ardent, as the disposition which then prevailed, and the zeal with which every bosom glowed, to render the Spaniards every assistance in the power of this country to afford. His Majesty's ministers had consented to meet the wishes of the people here, and to comply with the requisition of assistance made by the juntas in Spain. They determined on sending an army to Spain, but in the plenitude of their wisdom and foresight, dispatched it first to Portugal. He then mentioned two letters, both dated on the 30th of June last, from the War Secretary to Sir A. Wellesley, in the first of which Spain was mentioned as the first object ; but in the other of the same date, he says, that since writing his first of that day, information had been received from Sir Charles Cotton, that there were only 4000 French troops in Lisbon, and therefore, the whole of his attention was to be directed thither, thinking, he supposed, that it must fall an easy conquest. He believed ministers had been misled by that information, and had thereby sacrificed the best interests of this country. His Lordship censured the ministers for their mode of sending the army from Portugal into Spain, and still more the reinforcements sent out under Sir David Baird, which were sent by ministers, so as to become a complete shackle on the measures of Sir John Moore.

Lord Harrowby said, if the noble Baron thought the misconduct of ministers was so glaring as to stare every man in the face, he could not suppose a single paper would be necessary, and the fairest way would be to address his Majesty to remove his present ministers. In the most eventful periods, motions similar to the present had been made, but were uniformly rejected. He expressed his regret at some expressions which had fallen from his noble friend (*Lord Grenville*), as to the country being in a sinking state, which tended to create despondency in the people.

Lord Grenville begged their lordships' indulgence, till he made a few observations on what had just fallen from

his noble friend. He believed he was the last man to be found who would urge the difficulty of our situation, for the purpose of creating despair or despondency. He had always done the direct contrary. He had said, indeed, that we were at that moment pursuing a system of policy which was every day leading to direct ruin; but he had never even hinted, that he had the smallest doubt of the spirit and patriotism of the country. With respect to the valour, skill and ability of our officers and common, and our invincible army; if their efforts were properly directed, no country could stand on prouder ground. But hitherto our counsels were directed by a spirit of intemperance which tended to irritate every country against us with which we had any concern or connexion. Ministers acted either without counsel or with very bad counsel; sent out armies without plan, and embarked them in such a manner as to render success impossible: but it would be a gross calumny on him, if any one should say he thought the country sinking, except from the weakness of its counsels. He had always held out one sentiment on the subject, which was that we had no hope of safety; not that of relying on ourselves; but that ministers were pursuing a system of conduct that had hitherto produced nothing but disasters, and if persisted in, must be attended with ruin.

The question was then put, and the motion negatived without a division.

Adjourned.

HOUSE OF COMMONS.

TUESDAY, FEBRUARY 7.

PORTUGUESE PAPERS.

Lord H. Petty rose to move for some further papers respecting the Portuguese expedition, to the production of which he understood there would be no objection. The first related to the naval part of the expedition, of which the late court of inquiry at Chelsea had no authority given them to take cognizance. The second related to the equipment of the expedition, so far as it related to the government of Ireland. The noble lord then moved for copies or extracts of all instructions from the Board of Admiralty to Admiral Sir Charles Cotton, and of all correspondence.

spendence between him and them, so far as relates to the Russian fleet in the Tagus—Ordered.

His next motion was for copies of all letters which passed between Sir Arthur Wellesley and the government of Ireland, respecting the equipment of that expedition.

Lord Castlereagh answered, that every thing relative to that equipment was discussed in this country with Sir Arthur Wellesley before he went to Ireland, and nothing more remained to be done but to embark the troops. He had no objection, however, to give any information on the subject.

Lord Henry Petty then amended his motion, by moving for all copies of correspondence between the British and Irish governments on the subject of the expedition to Portugal, and also of a letter to the commissary general respecting the expedition under Sir Arthur Wellesley.

Sir Arthur Wellesley said, every thing was arranged with him before he left this country for Ireland to proceed with the expedition, and orders were sent from this country to authorize the Lord Lieutenant of Ireland to send the troops from thence.

Lord H. Petty again amended, by moving generally for any orders sent by the government of this country to that of Ireland, upon the subject of that expedition.

Lord Castlereagh moved for a return from the commissariat establishment of Ireland, of the state and condition of the troops sent from that country upon the Portuguese expedition, previously to their embarkation at Cork.—Ordered.

ORDER OF THE DAY.

Mr Wardle moved the order of the day for the house to resolve into a committee to inquire into the conduct of his Royal Highness the Duke of York.

The house resolved accordingly.

Mr. JOHN FEW was called in, and examined by the committee as follows:

What business do you carry on? An auctioneer.

Do you know Mrs. Clarke? Not now, I do not.

Did you ever know her? In the year 1803.

Where did she then live? In Tavistock-place, next door to Tavistock chapel.

Did she order any furniture from you? No; at that time I lived in Bernard-street, Russell-square, and I had a share in a glass concern in Holborn. She called; and, by direction of my partner, I waited upon

her; it was to consult me about fitting-up a Grecian lamp in her back room. After she had talked a little while, I sat down, and drank some wine with her. In the matter of conversation, from one thing leading to another, she seemed to be acquainted with almost every person that I knew. I sat there perhaps about half an hour; a person, whom I understood to be her sister, was present.

Did she represent herself as being a married woman, or a person who had been married? She talked of her late husband, and of her children, who were then at school.

What further passed? Nothing more than general conversation; I conceived that she knew almost every body that I knew. I can hardly describe her to you; for I never met with any person who, on the first interview, behaved so extremely polite and genteel to a stranger: I saw her two or threetimes, and drank wine with her; and she consulted me about the placing of some glasses, and the size and shape of some figures, whether they were too large for the room.

Did she give any orders to you? Yes; she desired I would have a Grecian lamp made, to fit up in the back room, which, I believe, came to about £61.

What was the price of that lamp? About 20*l.* I cannot say exactly; the whole of the account with me was 20*l.* odd.

When was the order given for this lamp? About the middle of May, about the 18th or 20th of May; the first delivery to her was the 24th of May, 1803.

Did you see any one but Mrs. Clarke, at this house? I saw her sister, and I saw her mother, but that was subsequent to my bringing an action against her. When I arrested her, she mentioned to me at the time, that she had purchased that house of Mr. Burton, and given 1,200*l.* for it: I applied to Mr. Burton, and he corroborated her having bought it; but I do not recollect the amount.

Did you ever observe any thing which led you to believe she was not a widow? I once called, I believe in the morning, to see whether the lamp was properly hung, or I was asked by an upholsterer to get him a sight of the house, and I saw a cocked hat; I made an observation to the servant, and the servant said her mistress was a gay young widow, and had been at the masquerade the night before, and of course I did not suspect any thing after that.

Were you paid for those articles you furnished? Subsequently I was; I brought an action against her, but I was nonsuited.

How so? I do not understand the distinction, but she either pleaded her coverture, or gave it in evidence; I believe there is a distinction, but I do not know which it was.

You were defeated, upon the ground of her being a married woman? Certainly; I was in court at the time.

Did you ever write any letter to Mrs. Clarke, upon the subject of this demand? I am pretty certain I did not, I am almost certain I did not; do you mean the demand after my action or before? I believe I did not in either case.

Do you recollect writing any letter, threatening to expose her? I cannot say; I might; I drew up a hand-bill and sent it to her, but whether I sent any note to her with that I cannot say; that hand-bill was warning the tradesmen in the neighbourhood of Gloucester-place, from trusting her.

Do you recollect sending the hand-bill to any body else in a letter? Yes, I do recollect, I enclosed one to the Duke of York, directed to Portman-square; I think it was.

Do you recollect whether you wrote to the Duke of York when you sent the hand-bill? I do not think I made one single letter inside; I am pretty certain I did not.

Are those letters your hand-writing? Yes, this is my hand-writing; I had not the least recollection that I had ever written it.

Is that the hand-bill? Yes, that is the hand-bill; I tried to get a copy of it when I was served with the order of the house, but could not.

[The hand-bill and letter were delivered in, and read.]

"MADAM,

"As I have not heard from you in reply to my last letter, I think myself justified in informing you, that in the course of a week the enclosed hand-bill will be published, which no doubt will prevent any other tradesman from subjecting himself to similar treatment. As the wording of the bill has received the legal sanction of many able men in the profession, I am perfectly assured in regard to any additional threats that may be held out to me.

"I remain your obedt servt.

"22d June, 1804.

"JOHN FARR, Junr.

"*Mrs. Clarke, Gloucester-place,*

"*No. 18, Portman-square.*"

"CAUTION TO TRADESMEN.

"THIS is to give Notice to the Tradesmen in the Neighbourhood of PORTMAN-SQUARE, that they cannot recover, by Law, any Debt from Mrs. MARY ANN CLARKE, formerly of FAYETTECH-PLACE, RUSSELL-SQUARE, but now of GLOUCESTER-PLACE, she being a married Woman, her Husband now living, though his Place of Residence was and is known even to herself or her mother. These Facts were proved on the Trial of an Action, lately brought by a Tradesman in Holborn, against this Mrs. MARY ANN CLARKE, for Goods actually sold and delivered to her; but she availing herself of her Coverture, (which, to the great Surprise of the Plaintiff, she contrived to prove,) she could not by Law obtain any Part of his Demand; and, being consequently non-suited, an Execution for her Costs was, by her Attorney, actually put into the Tradesman's House!!!

"W. MARCHANT, Printer, 3 Casselle-Street, Holborn."

I understand you to have stated, that you were paid your bill; was that subsequent to that hand-bill being published? Of course it must be, I should hardly have published it, if I had had my bill. I received the debt and costs.

Did you recover your bill by any process of law? I could not.

You were paid it entirely through the will of Mrs. Clarke? It is impossible for me to say; I did not receive it from Mrs. Clarke.

After being non-suited, and after that hand-bill had been published, Mrs. Clarke paid you your bill? I cannot say it was Mrs. Clarke, I received the money through a Mr. Comrie; it was immaterial to me who paid it.

Did you know Mr. Comrie to be Mrs. Clarke's professional man? That was impossible to say, Mr. Stokes defended the action, and afterwards Mr. Comrie paid me the money.

Is Mr. Clarke a lawyer? I believe so.

Do you know that he was Mrs. Clarke's lawyer? It is impossible for me to know that, because one defended the action, and then it came to Mr. Cornie; it was impossible for me to tell.

Did Mr. Cornie defend the action against Mrs. Clarke? No; Mr. Stokes. I believe so, because Mrs. Clarke told me afterwards, that she never authorized Mr. Stokes to give that plea.

Mr Cornie paid you the money? By his clerk.

[The witness was directed to withdraw.

Mr. THOMAS STOWERS: was called in, and examined by the committee as follows:

Did you know Mrs. Clarke before she was married to Mr. Clarke? I did not.

Did you know her after she was married to Mr. Clarke? I did.

Do you remember the time when Mr. Clarke was married to her? I never knew the time.

What business did Mrs. Clarke then carry on? When I first knew Mrs. Clarke, by being wife to Mr. Clarke, he was not in business just at that time; he was a young man.

What business did he afterwards carry on? That of a stone-mason.

Was that soon after his marriage? I cannot speak to that; I did not imagine that he was married so soon, as I understood he had an acquaintance with this lady.

Did he carry on the business of a stone-mason while she was living with him? He certainly did.

For how long? Not less than three or four years.

Was she living with him all that time? As I never visited them, I cannot undertake to say she lived with him all that time, but I conceive she lived with him the principal part of the time.

Had they any children? Not less than three.

Were those children born during the time he was carrying on the business of a stone-mason? Some of them were.

Where did Mr. Clarke live at that time you speak of? The first part of the time he lived in Charles's-square, Hoxton; then he was not in business as a mason.

Was Mrs. Clarke with him at that period? Certainly she was.

How long did they live there? As I did not visit them, I cannot speak positively; I know it was not less than one year, and, I should imagine not more than two.

Where did they live afterwards? I do not know of their living any where else, till they went to live in Golden-lane, where he carried on the business of a mason.

When was this? He commenced there somewhere about 1794, and he lived there about three or four years.

Had Mr. Clarke a stone-mason's yard there? He had.

At the first place he lived at? In Charles's-square, Hoxton, he lived on his fortune; he had no business.

Did you visit at his house? I never did visit him at any time when ever he lived.

Did you know Mrs. Clarke by sight? Yes, I did.

Did you know when Mrs. Clarke parted with her husband? No; indeed, I did not.

You have no guess when she parted from her husband? No further than that it was after they quitted Golden-lane I understood.

Do you recollect who told you so? No: public report.

You know nothing about the matter, of your own knowledge? I do not.

Where do you yourself live? In Charter-house square.

[The witness was directed to withdraw.]

Mr. JAMES COMRIE was called in, and examined by the committee as follows:

Do you know Mrs. Clarke? I do.

Have you been employed by her in your professional line? I have.

What is your profession? A solicitor.

Had you ever any conversation with the Duke of York respecting Mrs. Clarke? In consequence of Mrs. Clarke's wishing me to wait upon the Duke of York, I said that I should wish to receive a message for that purpose from his Royal Highness. I did receive such a message; I think in writing; in consequence of which, I waited upon the Duke of York in Portman-square.

State what passed. The Duke of York spoke to me upon private professional business; I therefore appeal to the Chair with great submission, whether, under those circumstances, I am bound to divulge it.

[The witness was directed to withdraw.]

Mr. Fuller objected to any question being put to the witness, which might lead him to disclose the secrets of his Royal Highness as his client.

The Chancellor of the Exchequer said, he apprehended that it appeared by the witness's own account he was sent for as the solicitor of Mrs. Clarke, and not as the solicitor of the Duke of York, and he was therefore bound to answer the question now put to him by the house.

[The witness was again called in, and informed, that it was the pleasure of the committee that he should answer the last question.]

His Royal Highness wished to know whether I could raise him the sum of 10,000*l.* upon mortgage.

[The witness was directed to withdraw.]

Mr. Wardle said, it was because he knew it was impossible for Mrs. Clarke to obtain money to the extent she did without such aid, that he had said on a former night, that a professional man was introduced to the Duke of York for that purpose by Mrs. Clarke, and he hoped he should be allowed to prove that fact, more especially as he had been so flatly contradicted upon this point.

Mr. Adam, feeling the last remark of the honourable gentleman applied to something which had fallen from him on a former night, begged leave now to explain what he did say, and meant to be understood, namely, that the affairs of the Duke of York, with which he was confiden-

tially intimate, were those with which he was charged confidentially as a trustee for liquidating the debts of his Royal Highness. But with that part of his Royal Highness's revenue reserved for his own private expenditure, he had had no interference.

[The witness was again called in, and proceeded as follows.]

I answered, that I believed I could. His Royal Highness, after some conversation, referred me to his man of business, Mr. William Adam of Bloomsbury-square. His Royal Highness asked me if I knew him? I replied, not personally, but by reputation. I mentioned that I knew him to be a man of very high character. Shortly afterwards, I called upon Mr. Adam, and saw him; I think he mentioned that his Royal Highness had told him I was to call upon him (Mr. Adam), we proceeded to discuss the business, and Mr. Adam said, that his royal Highness had occasion for that sum, I think he said to complete the purchase of some tithes in the vicinity of Oatlands; I am not quite sure as to that, but I think it was so; and he said his Royal Highness's then solicitors, Messrs. Farrer and Atkinson, would shortly send me the necessary abstracts, which they did. In the mean time, I had applied to a client of mine, a rich client, and he had agreed to lend his Royal Highness the money. The abstracts were laid before a conveyancer, Mr. Walker, of the Temple. We made some objections, I think, which is usual in those cases, questions to be answered; it generally happens so. The money was ready to be advanced, and the abstracts were returned to Messrs. Farrer and Atkinson, to answer those queries. I should state, that for expedition, (for it was mentioned that expedition was necessary), I had copies made of those abstracts to accelerate the business. I returned the abstracts to Messrs. Farrer and Atkinson, but those that I returned were never sent back to me, and the loan was afterwards declined, and Messrs. Farrer and Atkinson desired me to send in my bill, which I did.

Had you ever any conversation, either at that time, or any other, with the Duke of York, about Mrs. Clarke? I had.

Do you recollect that he ever assigned any reason that was prejudicial to her character, when he parted with her? The Duke of York stated to me, that he had been served with a subpoena to appear in the Court of King's Bench; I think it was on a trial which was then pending, in which Mrs. Clarke was the defendant; which subpoena had been accompanied by a very severe letter, describing her very improper conduct in having pleaded her coverture to an action brought for goods sold and delivered; and I think, upon a bill of exchange, one or either, I do not immediately recollect which. His Royal Highness stated that that was the reason which occasioned the separation.

Do you mean to state, that you understood, from the Duke of York, that she had done so without his knowledge? He did not state that; but he said, after such a thing as that, it was impossible but that they must separate, or words to that effect.

Did he complain of any other bad conduct in Mrs. Clarke? I do not recollect that he did. I think his Royal Highness said, that he had sent the letter and subpoena to Mr. Adam.

Do you recollect any thing further that passed in the conversation?

There was something paid about the allowance to be made Mrs. Clarke.

Do you recollect what that allowance was? His Royal Highness the Duke of York and Mr. Adam being present, it was mentioned and agreed to, that she should be allowed 400*l.* a year; but it was expressly mentioned that she must pay her own debts. Upon my mentioning the difficulty of that, for she had told me she was very short of money, his Royal Highness said it was not in his power then to pay them, but that she had some furniture and valuable articles with which she could easily pay her debts.

[The witness was directed to withdraw.]

Here the Chancellor of the Exchequer interposed, and appealed to the house and to the honourable gentleman (Mr. Wardle), whether it was at all proper to proceed any further in a species of interrogation totally foreign from and irrelevant to the subject of enquiry, and which could throw no light whatever upon the charges of corruption preferred by the honourable gentleman. He would rather, indeed, put it to the good sense and discretion of the honourable gentleman himself whether he thought it would at all contribute to his purpose, or be decorous towards the house thus to occupy its time with a species of examination so foreign to the object proposed.

Mr. Wardle acceded to what appeared to be the wish of the committee, and consequently withdrew the question; but having one or two other questions to ask, desired that the witness should be called in again.

[The witness was again called in.]

Do you recollect paying a bill due to Mr. Few, for Mrs. Clarke? There was a Mr. Few who had a demand upon Mrs. Clarke, and I paid that; I do not know the amount.

You paid it on her account? I did.

[The witness was directed to withdraw.]

DAVID PIERSON was called in, and examined by the committee as follows:

With whom do you now live as butler? The Honourable Mr. Turner.

Did you live as butler in Gloucester-place when Mrs. Clarke was under the protection of the Commander in Chief? Yes I did.

Do you recollect in the summer of 1805, the Duke of York going to Weymouth, and Mrs. Clarke to Worthing? Yes, I do.

Do you recollect Ludowick, the servant that used to attend the Duke of York, being ordered by the Duke, on an evening about that period, to take a bank-bill out, and to get it changed? I do not.

Do you recollect any servant being ordered by the Duke to get a bank note changed? I recollect the housekeeper, Mrs. Favorite, bringing down a bill in a morning, and Ludowick going out and getting it changed and coming back, and giving it to Mrs. Favorite again, and she took it up stairs.

Do you recollect any servant being ordered by the Duke to get a bank note changed? No.

Do you recollect Ludowick taking out a bank note to be changed? Yes I do, on a morning.

Did you hear him ordered to do so by any body? The housekeeper gave him the note; I saw her give him the note, and he took it out.

Do you know the amount of the note? No, I do not.

Did you hear the housekeeper give him the order? Yes, I did.

Do you recollect what order she gave; in what words? No, I do not in particular recollect what order she gave him; but she gave him a note, and he was to go and get it changed.

Are you positive that that note was not given on the night, and the change brought back in the morning? I am positive I saw it given.

Was his Royal Highness the Duke of York in Mrs. Clarke's house at the time this note was delivered to Ludowick to get changed? Yes, he was up stairs.

At what time in the morning was this? Near eight o'clock.

Do you know that the Duke was up? I am not certain of that.

How long did you live with Mrs. Clarke in Gloucester-place? About fifteen months.

State whether any and what servants of the Duke of York came to Gloucester-place during that time? I never saw any one but Ludowick.

Can you state, as far as it came within your own knowledge, that no other servant of the Duke of York's came there? I never saw any other servant of the Duke of York's come to the house, but Ludowick.

In what year, and in what month in what year, did this transaction happen? About three years ago.

Do you know the amount of the note? I do not.

Do you mean that this passed about the month of January, 1806? I mean in July or August, some time then about; it was hot weather when Mrs. Clarke went to Worthing; I do not recollect exactly the time, but it was in the summer time.

How long was it before Mrs. Clarke went to Worthing; was it the day before; or two days before, or three days before? I do not recollect exactly; but it was a short time before she went to Worthing.

Was it more than three days? I cannot be exactly certain to the time.

Is this the only note that you ever recollect Ludowick to have changed? The only note.

Did Mrs. Clarke go to Worthing the same day that the Commander in Chief went to Weymouth; did they both leave London the same day? I think the next day in the morning; that his Royal Highness went away between twelve and one o'clock, and Mrs. Clarke at four or five next morning.

Was it the morning of the same day that his Royal Highness went to Weymouth, that Ludowick took the note out to be changed? It was some morning a little time before.

[The witness was directed to withdraw.]

Captain HUXLEY SANDON was called in, and examined by the Committee, as follows;

What interest had you in Colonel French's levy? I was satisfied with him in the levy.

In what way, and to what extent? A letter of service was given to us both, Colonel French and Captain Sandon.

Do you know Mrs. Clarke? I do.

Did you or Colonel French apply to Mrs. Clarke for her influence with the Commander in Chief, in order to your having this levy? In the first instance we were informed, that it was a person who had great interest with a leading person in this kingdom; we did not know at the moment that it was Mrs. Clarke.

When you discovered it was Mrs. Clarke, state your proceedings. We did not discover it till we had the letter of service.

What passed with the person whom you afterwards discovered to be Mrs. Clarke, before you knew her to be so? We proceeded upon our letter of service.

Who gave you the information that took you to Mrs. Clarke? Mr. Cockayne, who was my attorney, informed me, that if I had any thing particular to ask for in the War Office, or at the Commander in Chief's Office, in all probability he could recommend me to a person who could do any thing in that way for me that I chose to request.

Did he recommend you to Mrs. Clarke? He recommended me to her agent.

Who was her agent? I understood a music-master of the name of Corri.

[The witness was directed to withdraw, when

Sir George Hill wished the honourable gentleman to confine his course of examination to points immediately connected with the subject of the charges before the committee. This circuit through Mrs. Clarke, Mr. Cockayne, Mr. Corri, or any other third person, ought not to be admitted, because such a chain of evidence could not possibly lead to any direct, fair, or reasonable point.

The Chancellor of the Exchequer thought that the honourable baronet was rather premature in the observation which he had made on the nature and tendency of the examination pursued by the honourable gentleman. If the evidence were to be at a close, there might have been some ground for the observation; but as the evidence was only at its commencement, and it would be necessary to trace it through a great number of persons, he was of opinion, that the honourable gentleman should be permitted to proceed with the examination in his own way.

[The witness was again called in.]

Through the means of Mr. Corri had you any interview with Mrs. Clarke? I really do not know.

Had you any interview with Mrs. Clarke? It was a long time afterwards that I ever saw Mrs. Clarke.

How long afterwards? I should presume a month after the letter was granted; near upon a month; I cannot exactly say, perhaps, to a week; it might be three weeks.

When you had an interview with Mrs. Clarke, can you recollect

what passed between yourself and her? Nothing passed between Mrs. Clarke and myself, because every thing was arranged and settled.

For what purpose did you apply to Mrs. Clarke? It was settled previous to that; the letter of service was granted, and I had every thing that was asked.

For what did you apply to Mrs. Clarke? Mrs. Clarke wished to see me.

What passed when she did see you? Very little. Colonel French asked me to go to Mrs. Clarke, who was, as we supposed, the lady, or the person, or the agent, for we did not know at that time whether it was male or female, at least I did not know; when I went to Gloucester-place, I found it to be a female.

Do you know whether Colonel French had, previously to that, seen Mrs. Clarke? Most assuredly he had.

Do you know when Colonel French saw Mrs. Clarke? No I cannot pretend to say when.

Do you know whether Colonel French saw Mrs. Clarke before he received his letter of service? I rather think not; the letter of service was granted before he saw Mrs. Clarke.

Then you do know when Colonel French saw Mrs. Clarke? No, I do not, for Colonel French was going to Ireland, he was taking that part of the letter of service; the letter of service was so extensive, it was for England, Ireland, and Scotland; he took for Ireland and Scotland, and left me to take that for England.

At this interview between yourself and Mrs. Clarke, what passed? I really cannot recollect.

Do you recollect the substance of it? No, he came to introduce me, merely to say, that was Captain Sandon, and this was Mrs. Clarke.

Do you recollect that the levy was spoken of that day? No, I cannot take upon me to say that it was mentioned.

Can you take upon you to say that it was not mentioned? No, nor can I take upon me to say it was not mentioned.

Do you recollect when you or Colonel French mentioned the levy to Mrs. Clarke? Colonel French had seen her previous to my having ever seen her.

Had Colonel French mentioned the levy to her, previous to your seeing her? I really cannot say that.

Of your own knowledge, do you know that the levy had been mentioned to her? I really cannot say, Colonel French had seen the person who was to get that; he never mentioned to me whether it was male or female.

Who was that person? I really cannot say; I never knew her till I had the pleasure of being introduced to her, and then I found it was Mrs. Clarke.

When was the first time that you recollect having spoken yourself to Mrs. Clarke upon the subject of the levy? I really do not recollect any thing about it, for this reason, the business was entirely settled between Mrs. Clarke and Colonel French, and I thought I had nothing at all to do to interfere in it.

State the way and the terms on which the business was settled between Colonel French and Mrs. Clarke and yourself. Colonel French and Mrs. Clarke made it their agreement, which I did not understand; I was not present when they spoke about it.

What passed between Colonel French and yourself upon the subject? Of course we wished to get the levy; the letter of service.

What means did you take to get the letter of service? I understood from Colonel French, that he was to give a certain sum of money for it.

What passed between you and Colonel French upon that subject?

[The witness was directed to withdraw.]

The Attorney General had not wished to interrupt the examination, or the course of evidence pursued by the honourable gentleman; but as an objection had been taken by his learned friend, he must say, that the evidence were irrelevant.

Lord Folkestone, notwithstanding the legal opinion just pronounced, thought that any conversation between the witness and Colonel French, relative to the means of obtaining two letters of service, ought to be reserved as evidence upon the charge against the Duke of York.

The Chancellor of the Exchequer observed, that the noble lord's argument did not apply to this case, because putting Mrs. Clarke out of the question, and supposing the witness and Colonel French to have conversed upon what passed between the Duke of York and Colonel French, his statement of such conversation would not be evidence. If they were to have what passed between Colonel French and the Duke of York, they must have Colonel French himself. He had not objected to the course of his examination, because the honourable gentleman having had notice not to proceed to the charge respecting Colonel French's levy without Colonel French, ought to have been sufficiently prepared, when he did enter on it, to go through with it. Besides, it would have been unpleasant to the house, that the honourable member should, under such circumstances, have been stopped in the course he was pursuing.

Mr. Yorke agreed with his right honourable friend, that the course of the examination ought not to be interrupted, because it was desirable that the matter ought to be sifted to the bottom. Though he did not think that infamy would rest with the honourable gentleman, yet he was convinced there was something foul in the transaction, and that it would be found that bribes had been given to witnesses on this subject. It was the duty of the house to inquire into the matter to the bottom.

[The witness was again called in, and the question was proposed.]

When I saw him, he told me, as he had before, that he had settled every thing with Mrs. Clarke.

Do you know what where the terms concluded by that settlement? Yes, he informed me that he was to give her five hundred guineas.

What further? I understood that he gave her the five hundred guineas afterwards.

Do you mean, that that was the only agreement with Mrs. Clarke, upon the subject? I cannot take upon me to say what he made with her, that was the only agreement that I know of.

Did you yourself make any agreement with Mrs. Clarke? None.

You have stated, that of your own knowledge, you were not aware of any other bargain than the five hundred guineas? Not till he went to Ireland; but previous to his taking leave of me, he told me that if she wanted more money, I was to give it to her.

To what amount did he authorise you to go? As far as five or six or seven hundred pounds more.

Do you recollect any application being made to Mrs. Clarke, for any alteration in the original letter of service? There were a variety of alterations in the letter of service, because the bounty of different recruits were raised; in the first instance, we had it at 13 guineas; the bounty was raised to 19; we thought of course we were entitled to that 19 guineas; we applied to Mrs. Clarke to get that enlargement, without any occasion for doing it, for, of course we could not get men at 13 guineas when the line allowed 19 guineas.

You mean, that the other recruiting parties were allowed 19, and that you were allowed 13? Of course.

And that you were not allowed the 19 till after you had applied to Mrs. Clarke to use her influence to get the 19 allowed to you? All recruiting parties were precisely in the same situation, though we applied to Mrs. Clarke, it must come otherwise, or our recruiting was at an end; we could not get a man.

You stated, that the other recruiting parties were allowed 19, but that Colonel French's levy was not then advanced? It was the order from Government, that every recruiting party should receive 19 guineas, it was found that the 13 guineas was not sufficient, the bounty was raised; and though we had engaged to do it for 13 we could not do it for that; and on the general bounty being raised, we applied, and had ours raised too.

To whom did you apply? To the Commander in Chief, of course.

Then you did not apply, upon that occasion, to Mrs. Clarke? There was no occasion for it.

Do you recollect that you ever applied to Mrs. Clarke upon any other occasion relative to the levy? I do not recollect that we did.

As to boys? That brings something to my recollection about boys; that in every hundred men we were to have ten boys, which were to be allowed the bounty of the men; but the letter of service will state it better than I can, for it is in the letter of service.

Do you mean to state, that there was no alteration made or applied for with regard to boys, after the original letter of service? Not after the letter of service.

What alterations were made in the letter of service? The ten boys to the hundred men.

Was that done through the influence of Mrs. Clarke? I cannot take upon myself to say, for Colonel French was the person who entirely finished the business with Mrs. Clarke.

Do you recollect that you ever went to the Commander in Chief, in

consequence of any communication or message sent to you by Mrs. Clarke, at Lyon's Inn? I do not recollect it in the smallest degree.

Do you recollect any gentleman bringing you a note or message to such effect? I cannot take upon myself to say any thing about it; I do not remember.

Do you know Mr. Dowler? I once had the pleasure of seeing him, at Mrs. Clarke's.

Do you recollect any thing particular that passed? Not a syllable whatever passed between Mr. Dowler and myself upon the subject.

Do you recollect Mr. Dowler calling upon you at Lyon's Inn? Mr. Dowler was never at my chambers; at least I never saw him there.

Do you recollect that, in consequence of any communication with any person at any time from Mrs. Clarke, you attended on the Duke of York? I once, in company with Colonel French, waited upon the Commander in Chief, to return him thanks for having given us the levy. I never saw the Commander in Chief afterwards upon that subject.

State what sum or sums of money were paid to Mrs. Clarke by yourself, or with your knowledge, upon this levy business. At various times, I conceive that I paid her 800*l.*; it might be 850*l.* but not more.

Do you recollect giving a check upon Mr. Grant for 200*l.* in favour of Mr. Corri, on account of the levy? Perfectly well; but it was not a check, it was a draft of two months; but it was not for Mrs. Clarke, it was entirely for Mr. Corri, who had acted as the agent from her to Mr. Cockayne, the attorney.

Do you recollect any thing of a loan of 5,000*l.* to the Commander in Chief, that it was in agitation should be advanced him by Colonel French? I never understood Colonel French to have 500*l.* in the world: therefore how he could advance 5,000*l.* I cannot tell; for our account with our Agent will shew we were very minus indeed, for we owe him 3,800*l.* upon the levy.

You do not recollect any mention of such an advance upon the part of Colonel French? Most assuredly not.

You have stated, that five hundred guineas was so be paid Mrs. Clarke at first; and then, that you have paid her from 8 to 900*l.* since? I think 850*l.* I have the exact sums in my pocket-book; it appears by that, that it is 850*l.*

Can you state, whether that 850*l.* arose out of any particular agreement, at so much a man raised, or in what proportion Mrs. Clarke was paid? It was to be general; if our levy had succeeded, we were to have made her a present of, perhaps a couple of thousand pounds: It appeared to me there was no explicit agreement that a certain sum should be given. But our levy failed, and we were very much out of pocket; she was the only gainer, I believe, upon the business.

Do you recollect how you remitted her these sums you have mentioned? Generally by bank notes; I generally gave them to her myself.

Did you ever give her any large sum of the 850*l.* at once? Two hundred pounds was the largest sum I ever gave her at once.

Endeavour to recollect, whether Mr. Dowler did not call upon you at Lyon's Inn; and that you yourself might state that Mrs. Clarke was overpaid, and that you had no money for her at the time? No.

You do not recollect any thing of that circumstance? No; Mr. Dowler never called upon me with that message.

Colonel French never stated exactly to you the original bargain be-

between him and Mrs Clarke? I understood the five hundred guineas in the first instance, and 200*l.* to Mr. Corri, and it was left to my discretion to make up the 2,000*l.* as the levy succeeded, or not; if we succeeded in the levy, we might have gone on to the 2,000*l.* perhaps; if not, it was left to my discretion.

You have stated, that you never saw Mrs. Clarke till after the letter of service was granted; but in a former part of your evidence you have stated, that you had some dealings with respect to this business with one Corri, a music master: what passed between yourself and Mr. Corri? Precisely what I have related; that he was to have 200*l.* for the introduction, and any thing that Mrs. Clarke and Colonel French settled; he had nothing more to do with it.

I understand you to have stated that to have passed previous to the granting of the letter of service? The two hundred pounds was paid to him after the letter of service was granted; because, if nothing was carried, he was to receive nothing.

This stipulation was made with Mr. Corri, in case he should succeed, by means of Mrs. Clarke, in procuring the letter of service? He did not precisely know what it was we wanted of Mrs. Clarke; we did not tell him what we wished to speak to Mrs. Clarke upon.

You mean to state, that you only applied to Mr. Corri for an introduction to Mrs. Clarke, without stating what use you meant to make of that introduction? We certainly did not inform Mr. Corri, the music-master, what we meant to do with Mrs. Clarke.

You mean to state, that you only applied to Mr. Corri for an introduction to Mrs. Clarke, without stating what use you meant to make of that introduction? Mr. Corri spoke to Mr. Cockayne, to make him a friend; Mr. Cockayne was the person that we had to do with upon the business altogether; Mr. Corri had nothing to do with it, he did not know what we were to do with Mrs. Clarke; it was merely that he could get letters or any proposition conveyed to her.

What passed with Mr. Cockayne? I do not know what passed between him and Mr. Cockayne.

You have mentioned, that several sums were agreed to be paid to Mrs. Clarke; state whether you know that fact of your own knowledge, or whether it is by hearsay from Colonel French? The 850*l.* I paid myself; the 500 guineas, I understood from Colonel French, that he had paid.

How often did you see Mrs. Clarke during the negotiation respecting this levy? Previous to the letter of service being granted, I never saw her.

How often did you see her during the whole negotiation? I dare say fifty times.

Was any direct application made to the Commander in Chief, upon the subject of this levy, from Colonel French and yourself? Of course, a regular application was made from Colonel French and myself, to grant us this letter of service; that went through the regular office, and we received the regular answer.

It was long subsequent to that, that you and Colonel French applied to other individuals upon the subject. That I cannot take upon me to say. Colonel French came to town, he had been raising two levies in Ireland, he had raised them with promptness and credit to himself, and great satisfaction to the Commander in Chief; he asked me, whether I would join him in getting the levy, and I imagined that the

length of my service entitled me to ask of the Commander in Chief for this levy with Colonel French.

For what purpose was the sum of 500 guineas promised by Colonel French to Mrs. Clarke? When we understood that this music-master could introduce us to a person in very great power, we thought that we had better give the five hundred pounds for their assistance, whoever it was, whether male or female; and, then in the regular form, we applied to the Commander in Chief.

Had you not reason to believe, that the application would be refused by the Commander in Chief at that time? It had not been refused, we never had a refusal; we did not put it to the trial. I really cannot say whether the Commander in Chief would refuse it or not, I do not see why he should refuse it.

Had you not reason to believe, that the application would be refused by the Commander in Chief at that time? I had no reason to believe it would be; we had done nothing that was improper, and why should it be refused: I do not think it would have been refused.

If you did not think that the letter of service would be refused, how happened it that any application was made to any other person than the Commander in Chief, and why was the sum of money promised to obtain it? It would facilitate the letter of service when we presented the letter, of course; and that was the reason why we applied to the person in power.

How long was the promise of 500 guineas, before the letter of service was granted? It was a long time before we got the letter of service; it was very near upon two months, or ten weeks, before we got it, after the first proposal.

What was the reason alleged by Colonel French to you, for the further advance of the 7 or 800*l.*? He gave me no particular reason; he said that I had better give her that sum; he gave me no particular reason.

Have you any, and what reason to believe, that the letter of service was expedited by the money given to Mrs. Clarke? My own private opinion was, that it was not; for, I think, she had very little influence with the Commander in Chief.

Have you any reason to believe, that the Commander in Chief was privy to the money given to Mrs. Clarke? None in the world; I never could have the idea.

Having stated, that you considered the influence of Mrs. Clarke to be very small, upon what grounds do you found that opinion? The length of time we had been in obtaining the letter of service.

Had you any conversation yourself with Mr. Cockayne, respecting this transaction? No, it was merely we were to be introduced to this person who had great power, and there to state what we wanted to them.

You have continually said, you were informed that a person had an influence with a great personage; by whom were you so informed? Mr. Corri, the music-master.

What communication had you with Mr. Corri, the music-master, with reference to this transaction? He was a client to Mr. Cockayne, and he proposed, or mentioned, something of this nature to Mr. Cockayne, saying, that if any of his friends were military, and wished any assistance in the War-office, or the office of the Commander in Chief, he could assist them, through his introduction.

What did Mr. Corri mention to you; what personal communication was there between you and Mr. Corri? Nothing more than I say; I saw Mr. Corri once or twice, and he would not tell me the name of the person; but he still persisted, in repeating what I have mentioned, that he had interest with this person.

Did the proposal come from you to Mr. Corri, or from Mr. Corri to you, and in what terms and what manner? Mr. Corri proposed it to Mr. Cockayne, Mr. Cockayne mentioned it to me, and then an interview took place between Mr. Corri and me.

Then I now understand, you had a personal communication with Mr. Cockayne yourself? Mr. Cockayne was the person who introduced Mr. Corri to me.

How did he introduce him and open the subject? Exactly as I have mentioned. This man was a client of Mr. Cockayne; he informed Mr. Cockayne, that if any of his friends were military, and wished for assistance in the war-office, or the Commander in Chief's office, he had a person of his acquaintance that could be of very great use to them.

You are now only stating the conversation between Mr. Cockayne and Mr. Corri; did Mr. Cockayne relate to you, that he had had such a conversation with Mr. Corri, and what he would propose to you in consequence of that conversation? He did relate it to me, and I begged to be introduced, or have an interview with Mr. Corri.

Did Mr. Cockayne come to search out you, or did you go to search out Mr. Cockayne? I really cannot say; he was a client of Mr. Cockayne; Mr. Cockayne is an attorney.

Mr. Corri was a client of Mr. Cockayne? Yes.

You have been relating a conversation between yourself and Mr. Cockayne; did Mr. Cockayne come to you to inform you of this chance, or did you go to search for Mr. Cockayne? Mr. Cockayne was my attorney; and going there upon other business, he then related this to me.

Did that interview with Mr. Corri, in which 200*l.* was offered to Mr. Corri for his good services, take place previous to the regular application to the Commander in Chief? No, I believe it was not; we did not mention any thing to him about the 200*l.* then.

When was any thing mentioned about the 200*l.* to Mr. Corri? After the letter of service was granted.

For what purpose was the 200*l.* offered to him? He had previously mentioned, that he expected something for his trouble, in the event of the letter of service being obtained, but no sum was named.

Was the application to Mr. Corri previous to the application to the Commander in Chief? No, certainly not.

Was your first interview with Mr. Corri previous to your regular application to the Commander in Chief? Assuredly.

And in that interview, it was understood, that Mr. Corri would give you his good offices? With his friend, which was Mrs. Clarke.

Was the offer of 500 guineas to Mrs. Clarke made with your privity? Certainly it was; I empowered Colonel French to write thus much to the person who, we understood, was to be our friend in the business.

Was that previous to the regular application? Certainly.

Did you ever mention to Colonel French your idea, that Mrs. Clarke had not much interest with the Commander in Chief? Repeatedly.

What was Colonel French's observation? "We had better see what she can do."

Did Colonel French mention to you the necessity for keeping this transaction secret? Most assuredly he did; certainly.

From whom did you suppose it was to be kept secret? It was required, from the person who was unknown to us, that it should be kept secret.

Do you mean the person who was then unknown to you, as being Mrs. Clarke? As it proved afterwards.

Do you mean to say, that Mrs. Clarke required that this transaction should be kept secret? Not a doubt about it; that she requested it upon all occasions; and when I have seen Mrs. Clarke, she requested I would not mention her name, or the Commander in Chief's name.

From whom did Mrs. Clarke wish it to be kept secret? From all the world, from every body.

Did Mrs. Clarke ever mention a wish that it should be kept secret from the Duke of York, her having received any money? Most assuredly, she begged that it might never escape my lips to any body.

Then from conversation you have had with Mrs. Clarke from time to time, had you reason to suppose that she kept it secret from the Duke of York? I cannot pretend to say that; I know nothing about what she did with the Duke of York.

Do you mean in the last answer but one, that she wished you should keep it secret from the Duke of York? And every body else as well.

I ask particularly as to the Duke of York? Yes, certainly she did.

Was any money paid to Mrs. Clarke before the letter of service was obtained? No, nothing.

I understand you to have stated, that you have seen Mrs. Clarke to the number of fifty times; in any of those times did she ever inform you that the Duke of York was privy to the transaction of her taking any money? Never.

Did she ever at any of those times inform you that the Duke of York knew of the application to her? No, she did not.

Was the money which was paid to Mrs. Clarke, paid solely on account of Colonel French, or were you interested in that money yourself? I had part of the levy, and the money that was paid by us was from the joint stock.

When you had conceived from the delay of the letter of service that Mrs. Clarke had very little interest with the Duke of York, with what motive did you consent that your money should be thrown away afterwards to the amount of 850*l.* to a person who had in your opinion, no interest? I have only to say, that she persuaded us to the contrary, and said she had a great deal of influence over the Commander in Chief.

I understood you to say, that you had concluded, from the delay of the letter of service, she had very little interest with the Duke of York? That was my opinion.

And I understood you to say, that, subsequent to the letter, you had paid her 850*l.* consequently your payment of 850*l.* was subsequent to your conviction that she had little interest with the Duke of York; state therefore why, having that conviction at that time, as you have stated, you consented that your money, to the amount of 850*l.* should be thrown away? It was my opinion, but it was not Colonel French's.

Do you recollect the date of your application for the letter of service? No, I do not.

State by what sums the 850*l.* which you paid to Mrs. Clarke, was made up? 100*l.* 100*l.* 200*l.* 100*l.* 150*l.* 100*l.* and 100*l.*

Will you state the dates? I have no dates.

[The witness was directed to withdraw,

MR. DOMINICO CORRI was called in, and examined by the Committee as follows:

Do you know Colonel French and Captain Huxley Sandon? Only Captain Sandon; I never saw Colonel French.

Do you recollect introducing Captain Sandon to Mrs. Clarke? I never introduced him; he introduced himself.

Did you give him the direction that enabled him to introduce himself? Quite the contrary; he asked me very often, but I never would tell him; he asked me several times, and I always told him I could not say who the lady was; but he found it out himself, and told me he knew the name of the person, and that Colonel French had gone to her.

Do you of your own knowledge know what the consequence of their going to her was? Yes.

Say what it was.—Captain Sandon was introduced to me by Mr. Cockayne; and he told me that he knew that I was acquainted with the lady who had a great influence in the war-office; and he told me that if I would speak to this lady, she would have 2000*l.* for what, I recollect, for the levy of the troops. I told him I would speak to Mrs. Clarke, and so I did; and gave him the answer, that she would try what she could do; but she said at the same time, it was a very difficult matter, that she was obliged to break through it gradually, and could recommend nobody but people of character, and qualified for the place, and to go through the war-office, as every body else was, and this I told Captain Sandon.

Do you of your own knowledge, know any thing more of the bargain between Mrs. Clarke and Colonel French and Captain Huxley Sandon? Yes; Captain Sandon came to me, and said that the Duke had screwed them down very hard; and that he could only give 700*l.* "Well," I said, "it is all the same to me what you will give, and I will tell her what you say;" and I told Mrs. Clarke of this new proposal. In this intermedium Captain Sandon introduced himself, as I said before, to Mrs. Clarke, and I never heard any more of the business; they settled it by themselves; except in the month of June, 1804, Mr. Cockayne sent to me at the coffee-house, the Cannon coffee-house, and he brought a bill, I believe, which I never looked at, for 200*l.* payable to my order, he said upon Mr. Grant. I did not look at the bill; I put my name, and gave it to Mr. Cockayne, and said, you had better keep it yourself, I am under an obligation to you, you had better keep it. And that was the end of my business.

Do you of your own knowledge know nothing further of the bargain that was made? Nothing more; several people came to me applying to me for places, and I told Mrs. Clarke; but I never heard any more. She was very anxious to get the Gazette every night, expecting places; but I know nothing more of the parties, for I introduced them to her, and I had nothing more to do with it, and no more business of any sort passed between Mrs. Clarke and me, except the music.

Have you, since this business came before the House, destroyed any papers? I destroyed a paper in the month of July, the same year, soon after Captain Sandon's business. One day I went to Mrs. Clarke's house, and she told me she was coming to me; that there was a terrible noise; that the Duke was very angry, and desired I would burn all papers and letters that I had; consequently I burned all the letters at that time.

Have you burned any papers since this business came before the House? I had none; I have four letters in my pocket now, which I received from Mrs. Clarke since the first of January; but I was terrified at that time, and did not like the business, and I destroyed the papers which I had at the time of this transaction immediately after it had taken place.

Are the four letters, which you have now in your pocket, to the same purport with the papers you burned before? No, invitations to go and see her, to go and spend the sixth day of the year with her; the first was an invitation to see her. The first day I went there was the sixth, and she desired me to dine and sup, and to remain the whole evening, which I did; and on the 15th I went and supped there again.

Has Mrs. Clarke ever stated to you anything respecting the Duke of York's opinion respecting these transactions? She never talked anything to me; she always told me the same thing she had before, that it was always a very delicate thing to open such matters to the Duke.

When Mrs. Clarke stated to you that the Duke was very angry at what had passed, upon which statement you burned the papers, did she explain herself any thing further, and state at what the Duke was angry? Yes, she told me at that time that the Duke was watched very close by Colonel Gordon, and that Mr. Greenwood also watched her her motions; therefore she was so situated, she could get nothing almost.

What was the paper which you destroyed? O, just common things; I could not remember five years ago; a desire to Capt. Sandon to go such a day to the war-office, or something of that kind. I was there every day of the year, consequently we had plenty of time for conversation, and she need not send letters to me.

What do you mean by saying you destroyed papers? I mean, that Mrs. Clarke said to me, that I should destroy every paper, (because the Duke had heard of something of the kind, and he was very angry indeed) "for God's sake;" and my wife was present at this conversation, and she went home and burned the letters; further she told me that perhaps we should be called where I have the honour to be now.

Did Mrs. Clarke mean to state, that the Duke of York suspected that there had been some correspondence between her and Captain Huxley Sandon, and that the fear of the Duke's discovering that induced her to desire you to destroy all letters that had passed upon that subject? She was just going to Kensington Gardens at the time, the carriage was at the door, and she said in a great hurry, "For God's sake go home and burn the letters;" and there was very little more passed in the hurry.

You have stated, that you put your name upon a bill for 200*l.* and returned it to Mr. Cuckayne, saying that you had obligations to him: do you mean to say, that you got no remuneration or reward for your services in the transaction between Mr. Huxley Sandon and Mrs. Clarke? None whatever, not one shilling.

What induced you to put your name on that bill? Because Mr. Cockayne told me it was payable to my order; I did not read the bill.

Did you owe Mr. Cockayne any money? Yes, I have Mr. Cockayne's account here from the year 1802 to 1806, debtor and creditor; and not one penny creditor but the 200*l.* which took place in the year 1804.

What obligations did you mean in consideration of which you gave Mr. Cockayne this bill of 200*l.*? I thought in the first place, that he was entitled to the half, if it had been for us, for I never asked any thing; and I thought he should have the half; and at the same time I said, "You may as well keep the whole, you are very welcome;" and he said, it is a very good act of generosity, Mr. Corri.

Do you know whether Mr. Cockayne got the money for that bill? I know nothing about it; he wrote me a letter thanking me for this act of generosity.

In this letter of Mrs. Clarke's, which you state yourself to have destroyed, did she express any apprehensions of the Duke of York's knowing any thing about the transactions in which yourself and she were concerned? Yes, it was in consequence of that that the Duke had heard something which had transpired, and that he was very angry, and that we should be called to this House.

You have stated, that you have seen Mrs. Clarke twice since the first of January, on the 6th and the 15th; was there any conversation at either of those meetings, when you supped each time, respecting the transaction to which this related? Yes, I was a little surprised, because soon after dinner she sent for the twelfth cake, and they sent for a complement, to some gentlemen, and two gentlemen came in the evening; and as soon as they came, the conversation of this affair of Mr. Sandon was introduced, and I repeated every word there just as I have here, that Captain Sandon told me she had received the 500*l.* and Mr. Cockayne had received the 200*l.*; and they were laughing at me, saying what a fool I had been; and this was the topic of the conversation of the whole night almost.

You have stated, that you were surprised at that conversation having been introduced by Mrs. Clarke that evening; did Mrs. Clarke assign any reason for introducing that conversation on the arrival of the two gentlemen you have mentioned? No.

Did Mrs. Clarke allude to any other transaction of a similar nature, before these gentlemen? No, the rest was spent in convivial conversation and merriment, and I left the gentlemen there at twelve o'clock, or a little after twelve, drinking there.

Do you know who the gentlemen were? I could describe the person; one I knew, and knew the second time; she did not tell me the first time; but the second time she did, and introduced me to him; she asked me the first time, whether I could tell who he was, I told her he appeared to me to be a lawyer; he laughed very much, this gentleman did, and I knew no more the first time; the second time I could tell you who he was if you please.

Were the same gentlemen present both upon the 6th and upon the 15th? The 15th I am not altogether certain as to the little one; the long nosed one, the friend of Mrs. Clarke, he was there, and she introduced me to him; but I believe the other one was there too, from my recollection.

Who was the gentleman whom you do know? Must I tell, for she told me in secret.

[The witness was directed to answer the question.

She told me it was Mr. Mellish, the member, who I suppose is in the House.

Do you know who the other gentleman was? I could describe the figure, if I could see him; my sight is not very plain; but I should not be surprised if he was here.

Was there any other person present besides these two gentlemen? The first time there was a young lady, besides Mrs. Clarke.

Was there no other gentleman present besides these two you have referred to? No; only Mrs. Clarke, a young lady, and two gentlemen, and myself, the first time.

The second time? The second time there was another new gentleman.

Did Mrs. Clarke inform you who that third gentleman was? Yes, she told me he was a writer of some paper; she told me the name, but I do not remember his name at all; some writer of some paper; and she mentioned some paper, but I forget what paper it was; I took no notice of these things; she said that this man was to take care of her, she was obliged to have him with her to take care of her.

Did that person seem acquainted with the other gentlemen, or either of them? Yes; when he came, he shook hands with Mr. Mellish.

You have stated, that in the letter which you destroyed by Mrs. Clarke's desire, she expressed great apprehensions of the Duke's knowing she was concerned in any such transactions; state, upon your recollection, whether or not Mrs. Clarke did not more than once in this letter express her apprehensions of the Duke of York's knowing that she received money in the way in which it was stated that she had. I could not remember the contents of the letter; but this conversation was repeatedly with me, to take care that the Duke should know nothing of the kind; this was done every day; and that she was obliged to have great caution, to break the matter cautiously to him.

[The witness was directed to withdraw.

WILLIAM MELLISH, Esq. a Member of the House, attending in his place, was, at his own request, examined, as follows:

Did you meet Mr. Corri at Mrs. Clarke's, on the 6th or the 15th of January last? I never was at Mrs. Clarke's in my life, nor did I ever see her, to the best of my knowledge, before I saw her here.

Mr. DOMINICO CORRI was called in again, and examined, as follows:

Did you ever see me (Mr. Mellish, the member for the county of Middlesex) at Mrs. Clarke's? No; it is not you; but I only say what she said to me; the person I saw was a gentleman of a darker complexion than you; if she tell me a lie, I cannot help it.

(*From another Member of the Committee.*)—Can you describe the thin person you saw at Mrs. Clarke's; the newspaper man? Yes, he is a very awkward figure, sallow complexion; I would call him rather an ugly man; very badly dressed; dark hair, and rough in his manner of

speaking; he appeared to me not to be an Englishman, he had such a broken accent; he was not elegant in his speaking.

Did this man squint? I think a little; I am not positively sure; if he squinted, it must be on the left side; I sat on his right hand.

Was not his name Finnerty? No; I do not remember the name at all, I have a very bad memory for names. She told me the name, and the paper. He told me that he had travelled a great deal; and that he had been in Africa; and said that he did not like any music but Scotch music, and he made me play a tune fifty times over, the same tune over again.

Did the person wear his arm in a sling? No; he wore them very careless in that way. (Describing it.)

You have mentioned, that Mrs. Clarke told you the name of the paper to which he was writer; was he not a writer for the Morning Chronicle? It must be either the Morning Chronicle, the Times, or the Post, one of the three.

Did you hear any person call him by the name of Finnerty? No.

Have you any reason to think that that is his name, from what you have heard? Nobody told me his name; but we went into the back-room, me and Mrs. Clarke, and left all the gentlemen in the other room, and there she told me about Mr. Mellish and this other person.

You did not hear the name of this other person mentioned at all? No.

Do you know the person of Mr. Finnerty? No; I could not recollect him at all; but I thought the name to be something like a foreign name; if I could see him I could tell.

[The Witness was directed to withdraw.]

WILLIAM DOWLER, Esq. was called in, and examined by the Committee, as follows:

Are you not just returned from the Continent with dispatches? On Thursday last I arrived from Lisbon with dispatches.

Have you known Mrs. Clarke long? Several years.

How many years have you known her? I believe eight or nine at least; I am not confident.

Do you recollect ever seeing Colonel French and Captain Huxley Sandon in Gloucester-place, while Mrs. Clarke was under the protection of the Duke of York? I have.

Did you ever hear either of them speak to Mrs. Clarke on the subject of the levy? I have.

Did you ever speak to Colonel French or Captain Sandon yourself, by desire of Mrs. Clarke, on the subject of the levy? I did.

Do you recollect any conversation that you had with Colonel French on that subject? I do.

State as nearly as you can, what you recollect to have passed at that time. I saw Colonel French several times.

Relate, as nearly as you can, what passed between Colonel French and yourself upon that subject. I saw Colonel French at Mrs. Clarke's house, and was informed that he was there on the subject of the letter of service. I asked Mrs. Clarke, from curiosity, the nature of it; she told me; and I recollect perfectly, that I took the liberty of saying that I disapproved, or thought it was exceedingly wrong, such a business, and endeavoured to dissuade Mrs. Clarke from it. That

was one of the conversations I recollect to have had with Mrs. Clarke upon the subject; it was after Colonel French left the house that morning.

Do you recollect when you next saw Colonel French, and had any conversation with him respecting the levy? I cannot recollect when I saw Colonel French; it is a long time back; but that I did see him several times after that, I perfectly recollect.

State the substance of the conversations, as nearly as you can, that passed between you and Colonel French on the subject of the levy. Mrs. Clarke told me she was to have 1000*l.* and a guinea a man, as far as my recollection serves me, to be paid on the completion of 500 men, when they were passed. I was likewise present when Col. French, or Captain Sandon, I am not positive which, paid Mrs. Clarke 500 guineas of the thousand that was first of all promised. Afterwards, I recollect seeing Colonel French there, and he stated, that there could not possibly be any but the usual bounty given, and that he came (Mrs. Clarke was not visible at the moment he came) to request that an increased number of boys should be included in the number of the levy, which he should be able to procure at a less sum than the bounty given for men; and that then he should be able to go on with the service, otherwise, he said, that he should be obliged to abandon it. I do not recollect any thing particular that occurred after that time; but I understand that obstacle was removed with respect to the boys, that Colonel French's wish was obtained. I cannot speak to that beyond my recollection at this distant time.

Do you recollect any other application of Colonel French's, to have an obstacle of any other description removed? I do not.

Do you recollect that he requested at any time, that the recruits might be passed nearer the place where they were recruited than the rendezvous at that time was? I recollect that Colonel French stated, that as he expected to get the greater part of his recruits in Ireland, it would be very difficult and expensive to pass them in the Isle of Wight; but I cannot recollect the particulars of what passed at that time.

You have stated, that you remonstrated with Mrs. Clarke on this transaction; what answer did she make to you when you so remonstrated; what excuse did she offer? This and other proceedings I frequently mentioned, and endeavoured to dissuade Mrs. Clarke from having any thing to do with them; she stated, that the Duke of York was so distressed for money that she could not bear to ask him, and that it was the only way in which her establishment could be supported. I beg leave to state, that in consequence of this, Mrs. Clarke was offended with my freedom, and I ceased to see, or hear from her; for I cannot tell how long, till I think nearly my departure for South America in 1806."

What was the nature of the remonstrance you made with Mrs. Clarke? I felt that it might implicate her character, or the Duke of York's, at a future time, that was what I told her; that there was a great risk attending it, and I thought it was very dangerous to her reputation, and to his.

In what situation are you? I have lately been in charge of the account department of the commissariat at Lisbon.

How long have you been in the commissariat? Since 1805.

How did you obtain your situation in that department? I purchased it of Mrs. Clarke.

Did you apply directly to Mrs. Clarke for the appointment? Certainly not; she suggested it to me.

Did you pay any money to Mrs. Clarke for the benefit you received from it? I first of all gave her 1000*l.* and at other times other sums to a very considerable amount.

Did you ever make any other direct and regular application to obtain that situation? To no one.

You are positive as to that fact? Positive.

Never to any one but to Mrs. Clarke? To no individual whatever.

In what department lies the presentation to such appointment as that which you hold? In the treasury.

In what situation of life had you been before you were appointed to the commissariat; had you ever been in any public office? I had never been in any public office. When my father retired from business, which was within the knowledge of gentlemen who are members of this House, I retired into the country with him; he was a wine-merchant, and a merchant in general.

How did you become acquainted with Mrs. Clarke? Through a gentleman that is deceased, Captain Sutton, whom I had known for some years previous to my knowledge of Mrs. Clarke.

When did Captain Sutton introduce you to Mrs. Clarke, and in what manner, and with what view did he so introduce you? He took me to dine at her house; the view was because there were a few musical persons to be there, a musical party; Captain Sutton asked me whether I would go out to dinner with him: and that was the cause of my being introduced to Mrs. Clarke.

When was this? I have said as nearly as possible, about eight or nine years, perhaps, ago, but I am not confident as to the length of time.

In what manner, and at what time did you make the proposition to Mrs. Clarke, through her influence to procure the office which you now hold? She made the proposition to me.

In what manner did she make you the offer; and what passed between you upon that occasion, and when was it? She stated that she was extremely pressed for money, and requested that I would assist her, as the Duke of York had not been punctual in his payments, and I applied to my father in consequence; he hesitated, and I told her I could not furnish her with more money than I had then given her; she then promised, not the situation I now hold, but another; I applied to my father, and he did not seem at the moment to give his consent to it. It was afterwards, a considerable time afterwards, for many months elapsed after the first suggestion was made by Mrs. Clarke to me, he at last consented to it, if I could be confident it would be a matter that would not become public, if I felt myself secure in it. In consequence of that I was named to the appointment I now hold.

Did you never make any application for the office to any other person; and in what manner was your appointment to the office communicated to you? I never applied to any other person; Mrs. Clarke told me that I should be appointed sooner by much than I was, and at last stated as the reason why it was put off, because a Mr. Manby, who had been in the 10th regiment of dragoons, was to be first gazetted; my appointment was delayed in consequence of that; I believe

it was about two or three months at the utmost before I was gazetted, after Mr. Manby.

In what year was that? 1805.

Was your father apprized of the object you had in view? Certainly.

Might not your father have made application, through other friends, for this situation for you? I am certain not.

Do you recollect the date of this communication with Mrs. Clarke, respecting this appointment? I do not.

State it as nearly as you can. I really cannot state it at all correctly, because it was the subject of conversation; it was first of all pointed out to me, the situation of a commissioner of the lottery, which caused the delay. I understood my appointment was on the point of taking place, but it was set aside because the vacancy that happened was given to Mr. Adams, the secretary to Mr. Pitt; and then it was suggested to me, that the commissariat was an eligible and gentlemanly employment, and not an inactive one, as I believe the circumstances of my service will sufficiently shew.

Am I to understand from you, that this arrangement, about getting you the situation in the commissariat, arose about the time that Mr. Adams, the secretary to Mr. Pitt, was appointed a commissioner of the lottery? I believe it was afterwards; but they were both the subject of conversation previous to that.

Was it soon afterwards? I am sorry I cannot state that correctly.

Will you state the year? I do not know the dates, because they were both the subject of conversation before they took place.

Can you state the date of your commission appointing you in the commissariat? I was first in the store department of the commissariat, previous to my going, and after I went to South America; and I was transferred to the account department on my going out with Sir Arthur Wellesley.

Do you know the precise date of your first commission from the treasury appointing you an assistant commissary of stores and provisions? I think it was in June or July, 1805.

Do you know the names of the Lords of the Treasury by whom that commission was signed? My commission is at Lisbon with my luggage; I cannot answer that; as I came with dispatches, it was necessary I should not encumber myself with luggage, and it is there.

Cannot you state, upon your own recollection; the name of any one of the Lords of the Treasury who signed that commission? I cannot.

You also held a commission from the Secretary at War? I believe that commission was made out after my departure, and that it has never been in my possession; but I have no paper to help my recollection.

After your departure for what place? South America.

You have stated that you received your first commission in June or July, 1805? I believe so.

Where were you employed after that time? In the eastern district, Colchester and Sudbury, in Suffolk.

You have stated that Mr. Manby's commission took place before yours? It did.

And that Mr. Manby's having the precedence over your's, was the cause of the delay in your appointment? Yes.

Do you know the date of Mr. Manby's? I do not; I believe it was the commencement of the year 1805, but I cannot be positive to the commission of Mr. Manby, as I never saw it.

You stated, that you were appointed in June or July, 1805, assistant commissary of stores and provisions; by whom was the notification of that appointment communicated to you? I was apprized of it a few days before it took place, by Mrs. Clarke; in consequence of which, I recollect paying her the remainder of the 1000*l*.

In consequence of this notification being received from Mrs. Clarke, what steps did you take in order to procure the instrument which put you into possession of your appointment? I was apprized that it was at the usual office in the treasury, and Mr. Vernon was the gentleman, I believe, that signified it to me; I was in expectation of it every Gazette.

Do you know who Mr. Vernon is? I believe Mr. Vernon's is the office in the treasury where commissions are left.

Did you understand from Mrs. Clarke, that she made her application direct to any person in the treasury; or through what channel did you understand from her that that application was made? To the Duke of York.

Is the committee to understand, that you gave your money to Mrs. Clarke under the belief that you had been recommended to the treasury for this situation by his Royal Highness the Duke of York, through the influence of Mrs. Clarke? Certainly.

From the time that you first understood that this application had been made to the treasury, up to the time that you received this commission, did you take any steps to hasten or to expedite the object of your appointment with Mrs. Clarke, through any other channel what ever? I did not.

Had you had communication with any person connected with the First Lord of the Treasury, or any other gentleman then in the treasury, on the subject of your expectations of your commission, up to the time that you came to Mr. Vernon's to take out that commission? Never, but mentioning to Mr. Vernon my expectation.

Then you saw Mr. Vernon before you were appointed? Certainly, I know Mr. Vernon.

You saw no other person at the Treasury? None.

Between the time in which you state you paid the premium for obtaining this commission, and the time that you actually received it, did you receive any intimation from any person connected with the Treasury, that your expectations were favourably entertained? Mr. Vernon mentioned to me one morning when I called there, a gentleman was speaking to him; I was desired to call in five minutes; he said, "I believe you are going to be appointed an assistant commissary." I do not know the exact term, there was a paper going up, and he said, "I have no doubt the appointment will take place, it has been signified from the Board," or some such expression.

Did you receive from Mrs. Clarke, the person whose recommendation you think procured you this situation, any information respecting the progress making towards the completion of the appointment? I have stated what passed between Mrs. Clarke and myself respecting Mr. Manby's appointment, it was the subject of conversation afterwards; but it was not of that consequence to me as to make it the subject of particular inquiry.

What, in point of fact, was the distance of time between the money being paid by you and the appointment to the commissariat? I cannot at all tell that.

Not whether it was in the same year? Certainly in the same year.

Within six months? Certainly.

I think you stated, that you had paid some sums of money to Mrs. Clarke, in expectation of getting some appointment, before you paid to her the specific sum that was to lead to this appointment? Not in expectation of getting any appointment.

For what other reason? It was considered merely as a temporary relief to her; she was always stating, "the Duke will have more money shortly, and I will pay you;" and it was obtained from my father at my request, but with no view of any appointment.

Then is the committee to understand, that the sums of money which you paid to Mrs. Clarke, before you paid this sum for this appointment, were loans made to her without any expectation of any public employment being conferred upon you? Certainly.

When Mr. Vernon, from whom you received the notification of your appointment, made that notification, in what terms was it made; was it verbally or in writing? Verbally.

What were the terms of it? "I believe, Mr. Dowler, you are going to be appointed an assistant commissary," as far as I can recollect the expression.

In what terms did Mr. Vernon intimate to you, that you were actually appointed? The intimation was, that the appointment was in a train, not that I was actually appointed.

From whose hands, or from whom did you actually receive the warrant of your appointment? I believe from Mr. Vernon; there are fees paid upon them, and I am not certain whether myself or a friend received the commission, and paid the fees, or not.

You do not recollect whether you received it from Mr. Vernon's hand or not? I do not.

Do you recollect whether you received it in any letter from Mr. Vernon? I believe not, I am not confident. I cannot charge my memory with a circumstance which I did not consider of any consequence, at the distance of from 1805 to the present time; I am here very reluctantly; I am just arrived in England, and had but yesterday a summons to attend this House, very unexpectedly.

From the time you have received the appointment in the commissariat, to the present time, have you never ascribed your appointment to any other interest but that of Mrs. Clarke? I stated, that Mrs. Clarke did not give me the appointment I hold, and that was the only answer I ever gave; I bought it.

Was not your father a common-councilman of the City of London? He was, for many years.

Did he not represent the same ward of the city of London of which Sir Brook Watson was the alderman? He did.

Do you recollect a conversation that passed between yourself and me (Mr. Alderman Gomme) at the top of the Haymarket, after you had received the appointment? I recollect seeing Mr. Gomme, but what occurred I cannot possibly tell.

Do you recollect this having passed, that I congratulated you upon what I had heard of as to your having received an appointment in the

commissariat, and that I put the question, whether you had received it from the favour of Mrs. Clarke, or the patronage and favour of Sir Brooke Watson? I have no recollection of the conversation that passed from Mr. Combe, but his congratulation to me; he was on horse-back; I think the horse did not stand very still, and I ran into the middle of the street, to ask Mr. Combe how he did.

Are you quite certain, that to that question you did not answer, that it was entirely by the favour of Sir Brooke Watson? Upon any honest I cannot recollect what passed, as I have before stated.

Will you undertake to say positively, that you did not at that time say it was by the favour of Sir Brooke Watson? I cannot say positively, but I state what I stated before, that Mrs. Clarke did not give me the appointment; and many mistakes have occurred upon that, by persons supposing that I received it without having purchased it, which is the fact.

When you made the remonstrance you have stated, to Mrs. Clarke, did she endeavour to allay your apprehensions with respect to herself, by any suggestion that the Duke of York was privy to her taking money on such an occasion? I cannot say what conversation arose, except that she was offended with my freedom.

Did you not consider Mrs. Clarke as placing a very particular confidence in you, for a long course of years? On these occasions I thought so; but as my opinion did not accord with her's, communication very soon ceased on such subjects.

Is the committee to understand, that Mrs. Clarke did not give you any reason to think that the Duke of York knew of her taking that money? She gave me reason always to think that the Duke of York was perfectly acquainted with it.

Do you not recollect that the transaction respecting Colonel French and Major Sandon was in the year 1804? I do not recollect the time of the transaction.

Do you recollect whether it was before or after your giving Mrs. Clarke the 1000*l.* for the purchase, as you term it, of the place for you in the commissariat? My expostulation with Mrs. Clarke on the subject of Colonel French, was previous to my appointment in the commissariat, I believe so, as far as my recollection goes; but I trust at this distance of time I shall be excused, if I am imperfect as to the dates.

The transaction with Colonel French was in the year 1804? I have a belief that it was so; but, not being positive, I would not venture to say that of which I am not sure.

If, from respect to Mrs. Clarke, you thought it right to remonstrate and expostulate against the transaction with Colonel French in 1804, why did you yourself in 1805 bribe her with 1000*l.* to get an office for you? Because she was peculiarly distressed for money at the moment, and because the appointment would remain a secret in my breast, and nothing but such an inquiry as this could possibly have drawn it from me. The Duke of York's character and Mrs. Clarke's would never have suffered from that which unfortunately I am now obliged to communicate to this House.

Then the committee is to understand that your only reason for remonstrating and expostulating with Mrs. Clarke, was not against the impropriety of the act, but on account of the risk of a discovery? Yes.

both reasons, and her answer, as far as I recollect, was this: I stated to Mrs. Clarke the anxiety and trouble that it seemed to have occasioned to her in this business of Colonel French's; and that I advised her, by all means, to have a regular payment from the Duke of York; instead of meddling with such matters; and she told me, that he really had not the money.

Although then you might think the secret safer with you, did you not feel the impropriety of the act equally applied to your own transaction? I was principally induced to it from the difficulty and embarrassed situation she was in at the moment I purchased the situation.

You have stated, that Mrs. Clarke was so much offended with your expostulation and remonstrances, that you saw very little of her since? Not so frequently as before, by much.

[The following question and answer, given by the witness in the former part of his examination, were read.]

"Q. You have stated, that you remonstrated with Mrs. Clarke on this transaction; what answer did she make to you when you so remonstrated; what excuse did she offer?" A. This, and other proceedings, I frequently mentioned, and endeavoured to dissuade Mrs. Clarke from having any thing to do with them. She stated, that the Duke of York was so distressed for money that she could not bear to ask him; and that it was the only way in which her establishment could be supported. I beg leave to state, that in consequence of this, Mrs. Clarke was offended with my freedom, and I ceased to see or hear from her, for I cannot tell how long, till I think nearly my departure for South America, in 1806."

(Mr. Dowler.) I beg leave to amend that; that I saw her less frequently during the interval; not so frequently as I had seen her before: it produced a great deal of anger in Mrs. Clarke, my taking the liberty of giving my advice, as I have stated.

Were you personally acquainted with Sir Brook Watson? Not sufficiently so to bow to him even passing in the street.

Do you know whether your father was acquainted with Sir Brook Watson? He was, but not intimately, not on terms of particular intimacy; he dined with him once a year with the common-councillors of the ward, that was the utmost intimacy I know of subsisting between them.

Did you never hear your father say that Sir Brook Watson had interceded, or would intercede, to procure you a situation under government? Never.

You have stated, that besides the 1000*l.* you paid Mrs. Clarke, you paid her large sums at different times; can you state the whole amount of the sums you have paid to Mrs. Clarke at those different times? I cannot recollect the amount of them, but I recollect particularly that I paid 170*l.* or guineas, for a vis-a-vis to Captain Warner, who was going abroad, and she told me she should have the money from the Duke of York in a few days to pay me.

Did they amount altogether to 1000*l.*? I am unable to state, I kept no account.

What is the amount of the pay, with the emoluments of the office which you hold? In England, on the home staff, the pay of an assistant commissary is fifteen shillings a day, with various deductions.

Is that the whole emolument? There is an allowance for lodgings when you are not in barracks or billeted, but that ceases if you are billeted.

What are the emoluments of the office which you held before your last promotion, when you first obtained the situation under government? The first office was that of assistant commissary of stores, the emoluments of which I have stated.

What do the emoluments of the present situation which you hold amount to? There is an extra five shillings, called treasury pay, given to the officers of the commissariat on foreign service, subject to the deductions of income tax, and others that are usual.

Did you obtain that promotion, or change of your situation, from any interest on the part of any body, or was it granted without application to any body? It was granted on my application to Mr. Harrison, in consequence, I would take the liberty of adding, of my stating to Mr. Harrison that I had suffered in my health from being in South America; I did not wish to avoid foreign service, but was unable to go through the fatigue of the store department; but that if their lordships thought proper, I conceived myself able, and was willing to undertake that of the account department. Mr. Harrison replied, I will see about it. He went out of his office, and returned in a few moments, and said he could see no objection, if it was not objectionable to the person going at the head of the department. The pay of the two departments is the same.

Do not you conceive it probable, that, from the respectable situation your father held in the corporation of the City of London, you might be likely to have several friends who interceded with government for the office to which you were first appointed? I believe not.

You have stated your belief, that the Duke of York was acquainted with the circumstance of Mrs. Clarke taking this money; can you state what circumstances induce you to entertain that belief? The assurance of Mrs. Clarke.

You know of no other circumstances but the declaration of Mrs. Clarke, to induce you to that opinion; no circumstances have occurred to corroborate that opinion? With respect to the money of course I cannot, but she said I should be gazetted very shortly, and I was so.

So that that opinion which you gave to the House was founded solely on the declaration of Mrs. Clarke, without any other corroborating circumstance? Of course I had no communication with the Duke of York, and it was her declaration alone which led me to believe that he knew it, and my subsequent appointment.

Did you ever tell Mr. Vernon at the Treasury, at the time you received your appointment, that you owed it to the influence of Mrs. Clarke, or at any time before, that you expected it from her interest? I do not recollect having any conversation with Mr. Vernon upon that subject.

Were you not, previous to your appointment, ever introduced to one of the Secretaries of the Treasury, or some other gentleman there? I never was introduced to either of the Secretaries of the Treasury, to my recollection; I have not the knowledge of the person of any one of the gentleman who were then Secretaries of the Treasury.

Or one of the chief clerks? Not to my recollection.

Before you received your appointment from the Treasury, were you

not referred to the Comptrollers of Army accounts, to be examined as to your fitness to be a Commissary? I was.

Do you recollect what interval there was between that reference and your appointment? I do not.

From whom did you receive the letter of reference to the Comptrollers? I am not certain, but I recollect the circumstances of my going to the Comptroller's Office; I saw the Secretary; Mr. Fauquier, I think his name was, gave me the usual questions which were put, which I was to answer on a sheet of paper, what my habits of life had been, my knowledge of business, and so on; those I answered; and he said the Comptrollers were not then sitting, but if I was required further, he would let me know.

Do you know whether you received that letter from Mr. Vernon? I did not.

State to the committee in what situation on the Commissariat's Staff you were employed immediately before you were sent on service in Portugal? The accounts of the Commissary General were not made up, or rather my accounts, which are the last, having been kept at Buenos Ayres after the departure of the army, having been sent there to pay for the supply of the army and the navy on their return home; and I was apprized by Mr. Bullock, that I was placed on half-pay, which could be but a few weeks previous to my departure for Portugal; and the day previous to my departure, I was the whole day with Mr. Bullock, finally settling our accounts.

You were Assistant Commissary, under Mr. Bullock, of Stores and Provisions, in the expedition to Buenos Ayres? I was.

Not being wanted at your return, you were placed on half-pay as soon as your services could be dispensed with? I was surprised to find that I was placed on half-pay, though I believe it was but for a very few weeks, because my accounts with Mr. Bullock were not settled; and I resided in London in consequence of it.

Were you placed on half-pay by any order of the Treasury? I was only apprized of it through Mr. Bullock, I do not know that it was the fact.

Do you know on what recommendation you were sent on service to Portugal? I do not; Mr. Coffin told me that he had not suggested my name.

Do you know whether Mr. Coffin the Commissary General, was called upon on the occasion of the expeditions to Portugal and Spain, to furnish the Treasury with a List of all Assistant Commissaries who were upon half-pay, or not otherwise wanted on service in England, in order that they might be sent on service to those countries, without making fresh appointments? Mr. Bullock called upon me at the coffee-house where I had resided, and told me he had been informed that morning, that I was put down for the expedition under Sir Arthur Wellesley; I was in bad health, and had been constantly occupied, and he knew that well; and he said I would advise your going to the Commissary General's in Great George-street, to-morrow.

When you went to the Commissary General's were you told to hold yourself in readiness for foreign service? I think Mr. Coffin, or Mr. Morse, said to me, Well, are you ready to be sent again? I said, I hope not just yet. I think Mr. Coffin came out, and said, I did not suggest your name to the Treasury, I assure you; or that Mr. Morse said, he believed that Mr. Coffin had not done so.

Had you made no application of interest to go upon this service; Certainly not, except that which I made to Mr. Harrison, finding I was appointed to the Store Department.

Up to the period that you applied to Mr. Harrison, requesting that you might be changed from the department of Stores to the department of the Accounts, had you any reason, except that you could perform it with more satisfaction; did you consider it any promotion in the service? Certainly not, for I believe it is certain that there is a greater chance of promotion in the Store Department, from its activity, and that activity being in the eye of the Commander in Chief, than being in the Account Department.

Before you were in the Commissary's Department, what was your profession of life? I was a long time, after my father quitted London and quitted business, without any kind of occupation; my father's liberality rendered it unnecessary for me for some time previous to my appointment.

Before you were appointed to the Commissariat, did you not follow the business of a stock-broker? Some years previous to that, I believe in the year 1800, or 1801; I am not certain precisely as to dates.

Why did you quit that line of life, and when? It was my father's desire; and besides that, in consequence of peace first, and afterwards the renewal of hostilities, I lost a great deal of money by the failure of different persons, and my father was constantly urging me to quit it, as a very hazardous and dangerous employment.

Then your resignation of that profession was after the breaking out of hostilities? I am pretty sure it was.

How soon after did you pay 1000*l.* to Mrs. Clarke for this situation? My father paid it; my father gave me the money for it.

Was that the only reason assigned for your leaving your business of a stock-broker, or was it not from embarrassed circumstances in the Alley? I was invited to stay in the Stock Exchange by some of the members, but my father would not consent to it.

Did you pay all your differences? I paid my last shilling, and involved myself considerably.

Did you pay all your differences? I have never seen the paper, nor my books of the Stock Exchange, because they were delivered immediately into the hands of the Committee; they were requested to be examined, and to this moment I have not received them back. All the differences would be that which you lose by the failure of others; and among others, E. P. Solomons and Mr. Cope were deficit to the amount of five or six thousand pounds to me, which was the cause of my leaving the Stock Exchange.

Have you paid the debts due from you, at the time of your quitting the Stock Exchange? Certainly not; because these are debts due from me in point of honour, as it is a place where many of the transactions are not legal; these are due from me; they came suddenly on me; and I believe they are the only transactions that I had with those persons.

Do you recollect at what time your quitting the Stock Exchange took place? The date I cannot tell; it was the time of the failure of Mr. E. P. Solomons and Mr. Cope.

It is a pretty important event in your life; do not you recollect when it occurred? No; not unless I had my papers; I was endeavouring to recollect this morning; but I have not a particle of paper here;

I expect my things from Lisbon; and I could tell if I had my banker's book.

You have stated, that you had, at various times, lent money to Mrs. Clarke; had you lent any money to Mrs. Clarke, previous to your quitting the Stock Exchange? I do not believe I had.

Had you given any money to Mrs. Clarke, previous to your quitting the Stock Exchange? I do not believe that I had.

Were you acquainted with Mrs. Clarke, previous to your quitting the Stock Exchange? Certainly.

For how long? I must refer to the former answer I have made, that I had known Mrs. Clarke for several years.

Do you recollect the first time you either lent or gave any money to Mrs. Clarke? I do not.

How long ago might it be, two, or three, or four years ago? I wish I could answer the question, but it is impossible; I have not any recollection upon the subject that can be called accurate, or near it.

Was it all in one year, or in different years? Of the 1000*l.*, 200*l.* was first given her, and afterwards the 800*l.*

Were these the only sums that you ever lent her? I have stated before, that I have lent her sums at different times, which I had always been assured would be repaid, amounting to a considerable sum, which I cannot recollect exactly, but which never were repaid.

Do you mean to state, that you lent various sums of money to a considerable amount, expecting them to be repaid, and yet have no recollection of what they were? Except the one hundred and seventy guineas for the *vis-a-vis*, I have no recollection of the precise sums.

Do you mean to state, that they were loans to Mrs. Clarke? Yes.

Had you any security for those sums of money that you lent to her? None.

Did you take any memorandum of the sums that you lent to her? A sum pretty near not.

And those sums were to a considerable amount, at various times, for which you took no memorandum? I have taken none.

You arrived from Portugal on Thursday last? Yes.

Have you seen Mrs. Clarke since your return from Portugal? Yes.

When did you see Mrs. Clarke, since your return from Portugal? On Sunday last.

Have you seen her since? I saw her just now, in the Witness's room.

Was any body with Mrs. Clarke when you saw her? I waited upon her, to request that I might not be called upon as a witness, seeing the circumstance of Colonel French's levy in the newspaper; I saw her address in the newspaper.

Was any body with Mrs. Clarke when you called upon her? Nobody, but a young lady or two.

What conversation passed between Mrs. Clarke and you when you called upon her? I lamented the situation in which I found her placed, as to the notoriety of this, and that I had always told her I was fearful it would become known; and she said, the Duke of York, to the best of my recollection, had driven her to it by not paying her debts, and not being punctual in the annuity, as she termed it, that she was to receive from him.

She told you that the Duke of York had driven her to this proceeding, by not paying her debts, and not being punctual in the annuity

that she was to receive from him? I do not know that she said he had driven her to it; my conversation was as short as possible, merely to request that I might not be called upon.

Had you seen Mrs. Clarke before you went to Portugal, in the course of last summer? Yes.

Frequently? I cannot positively state how frequently.

Do you recollect what was the last time you lent her or gave her money? I do not indeed.

Have you lent or given her any money since the time of your appointment to the commissariat? Upon my word I cannot recollect; if it has been, it must be very trifling.

Can you positively assert, that neither you nor any other person connected with you, solicited Sir Brook Watson to support the interest which you supposed to be making for you at the Treasury, to procure the appointment in the Commissariat Department? Never to my knowledge.

Did you know that Sir Brook Watson was frequently consulting at the Treasury in making out Commissariat Departments? I was not acquainted with that circumstance; but I was not at all known, and I did not even bow to Sir Brook Watson if we met: I was not on sufficiently good terms with Sir Brook Watson to think he would aid me in the appointment; on the contrary, when I waited on him, having received my commission, he did not seem to know me, and ordered me to depart the next morning.

Can you say whether Sir Brook Watson knew that interest was making in your favour at the Treasury for that appointment? I know nothing of that circumstance.

Can you positively say that Sir Brook Watson did not, to the best of your knowledge, make any application to assist with his recommendation the interest making for your appointment? I believe, to the best of my knowledge, that he did not aid me in procuring the appointment.

Have you always and uniformly represented that Mrs. Clarke was the author of your appointment? I avoided saying any thing upon the subject as much as possible.

Did you ever at any time say that you owed your appointment to Sir Brook Watson? I have not any recollection of saying so, to the best of my belief; but it is hardly possible to recollect circumstances of such long standing; I always, to shield Mrs. Clarke, and to prevent any suspicion, said, that she did not give me the appointment, and therefore I confined myself to the truth, intentionally; I gave that answer when I was pressed by persons who knew me; they might conjecture, but I always avoided the question as much as possible, and few persons took the liberty of asking me.

If you ever said you owed your appointment to Sir Brook Watson, could you ever have forgotten it? The errors of memory are so great, that I cannot positively speak to such a thing, but I should imagine I never did say so; trusting to one's recollection at a length of time is a very arduous task.

Do you admit, that you might have said to some person or other that you owed your appointment to Sir Brook Watson, and have forgotten that you said so? I do not think that I ever said so, but I do not pledge myself to say that I never did say so; but I do not believe it.

Do you admit, that you might have said to some person or other that you owed your appointment to Sir Brook Watson, and have forgotten that you said so? I have answered that question to the best of my knowledge.

WILLIAM HUSKISSON, Esq. a Member of the House, attending in his place, was examined, as follows:

I believe you were Secretary of the Treasury in the months of May, June, and July, in the year 1805? I was.

Will you acquaint the Committee what is the course of application for appointments of this kind to the Treasury; and whether you recollect any application either of Mr. Richard Manby, or of the gentleman who has just been examined? The course of application for appointments of this nature, and all other appointments in the gift of the Treasury, as far as I know, is this: that an application is either made directly to the First Lord of the Treasury, or the Chancellor of the Exchequer, or more indirectly to those persons through the channel of one of the secretaries of the Treasury, or the private secretaries of those persons: sometimes, nay frequently, applications are made verbally either to the First Lord of the Treasury, or the Chancellor of the Exchequer, who makes a memorandum of the application, and it is then noted in the memorandum book kept by his private Secretary, or communicated to the Secretary of the Treasury, to be noted in a memorandum book kept there: If any application is made for an appointment on official grounds, that is made certainly in a different shape; it would then be presented to the Board of Treasury in the shape of a memorial, or some official document, which would go through the regular course of official business; of that nature are recommendations for promotions for commissaries, or any any other servants of the public, who having distinguished themselves, receive recommendations from the superior under whom they have served: any document of the latter description, I believe would be forthcoming in the Treasury; but as to any application for an appointment, I know no instance of such a paper being considered an official application, or register, or any public note made of it: in consequence of that, I do not believe that the most diligent search into the records of the Treasury will afford any trace of the quarter or of the manner in which this person was recommended to his appointment, whether the application was made to myself to be communicated to the then First Lord of the Treasury, or made to my then colleague in office, or to any other person who had access to the First Lord of the Treasury, or whether it was made to the First Lord of the Treasury himself, I am altogether ignorant. I certainly have not the least recollection of this person being recommended, and until he stated to the Committee this evening that he was an Assistant Commissary, I did not know that there was such a person upon the staff; upon his stating that circumstance, and that he purchased the commission from Mrs. Clarke, my attention was of course called to his evidence; I then took the name of the Witness, and I have recalled to my recollection, that a person of that name had been directed to proceed to Portugal, to serve in the Commissariat there; and that he was directed for this reason, that when a very large force was proceeding to Portugal and to Spain, it of course became necessary, on the communication of that circumstance from the Secretary of State, to provide a Commissariat Staff adequate to the amount of the army.

going to serve in those countries: I communicated this to the Commissary General and the Comptrollers of Army Accounts, and desired they would furnish me with a complete list of all the Commissaries who were either not absolutely wanted in the service in England, or being on half-pay might be sent: in the list so sent, I must have found the name of this gentleman, and I can state that with the more confidence, because extensive as that army was, and numerous as the Commissariat, there was not any one fresh officer appointed, the whole were taken either from the half-pay of the Commissariat as I have stated, or from persons, who, in consequence of the reduction of the force in this country, it was conceived might be spared for foreign service. I am confident I never saw Mr. Dowler till I saw him at the bar; I certainly do not recollect any one circumstance connected with his appointment: I do not know when it took place, nor can I give any other account, than that which I have now given. I know that Mr. Manby holds an appointment in the Commissariat, because finding him upon half-pay he was directed to take charge of a district in England from which another Commissary was sent to foreign service; but I cannot recollect whether Mr. Manby was appointed during the time I held the situation of secretary to the Treasury, or at any other period. I am equally ignorant as to the circumstances which led to his appointment, and of the quarter from which he was recommended, as of the person who has been examined.

Do you recollect Mr. Adams being appointed a Commissioner of the Lottery? I do recollect his being appointed a Commissioner of the Lottery, when he was private secretary to Mr. Pitt, at the time he was First Lord of the Treasury.

WILLIAM STURGES BOURNE, Esq, a Member of the House, attending in his place, was examined; as follows:

You were Secretary of the Treasury in the months of May, June, and July, in the year 1805? I was.

Will you acquaint the Committee whether you recollect any application, either of Mr. Richard Manby or of the gentleman who has just been examined? After the statement which has just been made, it will be only necessary for me to state, that I never saw Mr. Dowler, till I saw him at the bar to night. I do not recollect any application being made to me on the subject of this appointment, and am totally unacquainted with the circumstances respecting it.

Mr. JOHN GRANT was called in and examined by the Committee, as follows:

Were you agent for Colonel French's levy? I was.

Do you know what agreement existed between Colonel French and Captain Sandon, with regard to the levy? That it was to be a joint concern.

Do you mean by a joint concern, that they were to stand in equal proportion of gain or loss? I do.

Do you of your own knowledge know through whose influence it was that Colonel French first obtained his letter of service? I

have no further knowledge as to that fact, than what was told me by Colonel French and Captain Sandon.

Will you relate what Colonel French and Captain Sandon told you? They told me that they were to have a levy, and were to get it through a friend, which friend, at that time I did not know, but before the letter of service came out, I was acquainted that it was through a Mrs. Clarke.

Did you know from them that they gained that letter of service through the medium of that friend then unknown to you? They told me so.

Do you recollect that during the progress of the levy, any alteration was applied for in the original terms of the levy through the same medium, Mrs. Clarke? I do know that an alteration was applied for: they applied, but I cannot say that that was through the same medium.

State what that alteration was? I cannot immediately state it from recollection, but it will appear upon the letter which was issued from the War-office in consequence.

A letter sanctioning the alteration was issued from the War-office in consequence of an application, but through what medium you do not know? No.

Did you ever hear Colonel French or Captain Huxley Sandon say by what means they had obtained that alteration? I in fact knew the means, because it was a letter written applying for such an alteration.

To whom was that letter addressed? I understood to the Commander in Chief.

From Colonel French and Captain Sandon? Yes.

Can you recollect that any other alteration in the levy was made? I cannot charge my memory with any more than one.

Was there any alteration with respect to boys? I think that was in the original letter of service; I cannot be certain as to that; but it was either in the original letter of service, or in the amendment.

Were you acquainted with the terms on which Mrs. Clarke's influence was obtained by Colonel French and Captain Huxley Sandon? I did understand at first that she was to have 500 pounds or guineas; but afterwards I understood there was some other alteration, which was to allow a guinea for every man raised.

Do you know that any sum or sums of money were paid in consequence of that last agreement to Mrs. Clarke? I have been told so; but know nothing of it myself.

Were you told so by Colonel French, or Captain Huxley Sandon? By both.

You were told both by Colonel French, and Captain Huxley Sandon, that Mrs. Clarke received payments according to the last agreement of a guinea a man in addition to the 500 guineas originally contracted for? I cannot say whether it was upon the first or the last agreement, but that she received several sums.

Do you know that she received several sums subsequent to the agreement you speak of, of a guinea a man? I do not know at what period she received any sum; nor do I speak from my knowledge of her receiving any, but only from what I was informed by Colonel French and Captain Huxley Sandon.

Did you, as agent to the levy, pay any sum of money to her or to any other person? To her none; but to several others very large sums.

Do you recollect paying a draft of 200*l.* drawn in favour of Mr. Court, by Captain Huxley Sandon? I accepted such a draft, and it was paid by my banker.

The amount of that was placed to the levy account? To the levy account.

Have you ever understood or been told by Colonel French or Captain Sandon, that Mrs. Clarke has received very considerable sums for her influence on the levy account? I have.

Did they ever either one or the other of them tell you, or have you reason to know, the amount of the different sums paid to her on that account? I know nothing of my own self; but they have mentioned to me the sum, I think of 1700*l.*

Did you ever hear Colonel French or Captain Sandon complain of Mrs. Clarke having disappointed them in any of their applications on that subject? I do not know that they ever made any others to her.

Did you ever hear Colonel French or Captain Sandon complain of Mrs. Clarke having disappointed them in any of their applications on that subject? I cannot call any such thing to my memory; it does not occur to me at present.

Do you recollect Colonel French and Captain Sandon to have expressed themselves satisfied with the exertions Mr. Clarke had made in their favour? No.

Do you recollect that Colonel French ever applied to you, respecting the loan of 5000*l.* that was to be raised for the Commander in Chief? He did mention to me that he wished to afford to the Duke such an accommodation.

Did Colonel French desire you to take any steps towards procuring that money? No.

Did he state to you his reason for wishing to accommodate the Commander in Chief with that sum? No.

But you recollect that Colonel French spoke to you respecting the raising of such sums of money for the Commander in Chief? I do; that he asked him to lend it to him for the purpose.

Will you, as nearly as you can recollect, state what passed upon that subject? I do not recollect any particulars that passed, further than his asking me to lend him such a sum of money for that purpose; as to the particular words I cannot possibly recollect.

You took no steps whatever for raising the money? None.

Did you state to Colonel French that it could not be done? I told Colonel French that under the heavy advance I already was for the levy, I certainly could not do it with convenience.

Do you recollect that Colonel French suggested, that this loan of 5000*l.* was to be advanced, provided the arrears due from Government on the levy account were paid up? No such condition or provision was stated; but it was observed, that if that should be recovered it might form a part of it.

Was it Colonel French who made that observation? I really cannot recollect whether it was from Colonel French or from myself.

Then the mode of accommodating the Duke of York was agitated between you? If that may be called a mode, it certainly was.

Do you mean to say, that if the sum due from government to Colonel French on account of the levy was paid up, the Duke of York might on that event have been accommodated? No, certainly not.

Was any application made to your knowledge by the Duke of York, for the paying up of the sums due on the levy? Not that I know of.

Did Colonel French ever tell you such application was to be made, or had been made? Colonel French did promise that he would memorial the Duke upon it.

Did you say that if the money was paid up, the 5,000*l.* was to be lent to him? No.

Then you mean merely to state, that if the money due on account of the levy was paid, that on that event you would have been able to have met Colonel French's wishes, and to have made the advances to the Duke of York? No; I never mentioned any such idea, nor took it into consideration.

I thought you said that there being so much due from Colonel French on the account of the levy, you could not meet with his wishes upon that subject? That did not relate to what was due from the War Office, but to a large sum still due from Colonel French and Captain Sandon; which they had expended perhaps in other ways, and which sum they are still indebted to me, to a very large amount.

[The Witness was directed to withdraw.]

[The Witness was again called in.]

Do you recollect Colonel French complaining of other parties having larger bounties than were allowed to his levy, and that that hurt his recruiting very much? He did mention, that he met recruiting parties wherever he went; but as to the bounty being larger or not, I cannot undertake to say that he did.

It is understood that Colonel French and Captain Sandon had at one time thirteen guineas, and at another time nineteen; at what period was the sum advanced from the thirteen to the nineteen? I cannot speak particularly as to the period, but I think it was in May, 1804; if the letter of service is referred to, that will shew it distinctly.

Did Colonel French tell you whether that advance was procured through the medium of Mrs. Clarke? No.

Do you recollect that Colonel French ever told you that through the influence of Mrs. Clarke, he had obtained permission to have his recruits passed nearer the places where they were recruited than before? No.

[The Witness was directed to withdraw.]

Mrs. MARY ANN CLARKE was called in, and addressed the Committee as follows:

I feel myself so very unwell, and so very much fatigued, that it is impossible for me to be examined this evening; I have been waiting here eight hours, and I am quite exhausted with the fatigue; my feelings have been very much harassed during the time.

[The Witness was directed to withdraw.]

[The Witness was again called in.]

[The Chairman informed Mrs. Clarke, that it was the pleasure of the Committee that her examination should proceed, and that a chair should be provided for her accommodation.

(Mrs. Clarke.) The chair will not take the fatigue off my mind.

[The witness was directed to withdraw.

Mr Yorke said, that unless the witness was examined that evening, she would have such opportunities to communicate with the other witnesses, that he thought, if it were in the power of the house, she ought to be committed to the custody of the Serjeant at Arms, with orders to deny her access to any person whatever. It was of the greatest consequence that either the one or the other of these plans should be adopted; and he thought the witness should be called in, and have the option given her.

Mr William Wynne doubted whether such an order as that proposed could be given, till the House was resumed, and that therefore till then the Chairman could not make the communication.

Mr. Rose agreed with the last gentleman;—but Mr. Yorke thought there might be precedents of the Committee's making such an order.

The Speaker was not aware of any such precedent; but said that the house had full authority to act as emergencies might require. There had not been an examination like the present since the reign of Queen Anne, and therefore if there were any precedent upon the subject, it might be too ancient for the house to act upon.

Mr. Sheridan thought, that if the witness were examined in an ill state of health, she might afterwards say, that her answers were not such as her more fresh and vigorous mind might have suggested. He deprecated the idea of locking her up in solitude in a strange place, and because she was excused from examination. He did not see why all the other witnesses should not be confined in the same way; and thought, that to single her out might look like the effect of party. The Committee would recollect, too, that to-morrow was the Fast-day, and that it was not unlikely she might remain in confinement till next Friday. She had already, too, had ample time to have made any communication with the last witness but

one; and the first question the right honourable gentleman should have asked her would have been, had she had any conversation with Mr. Dowler since he had been examined. The right honourable gentleman thought that the measure of her commitment would be harsh and unreasonable.

Mr. Wardle produced the note he had received from Mrs. Clarke, before she had entered the doors of the house that evening, which ran as follows:—"Mrs. Clarke very much wishes to see you, as she feels herself extremely indisposed."

Mr. Croker thought that a communication between the witnesses might have taken place, and that it was absolutely necessary to examine Mrs. Clarke that evening.

Mr. Adam said, that in a cause of so great importance, and in the conduct of which the eyes of the nation were fixed on the committee, the committee ought to be guided by their soundest discretion, and that that discretion ought to take into consideration, in a proper degree, the public opinion. If the evidence of the witness in question ought not to be influenced by communications with other witnesses, so it ought not to be given under a state of mind, to the productions of which she might afterwards object. The Committee were therefore in this dilemma; and as they could not accomplish their desire of preserving her from communication, the honourable and learned member thought that the committee had better postpone her examination, and allow the fact of her intercourse with other witnesses to go to her general credit; and it would affect the whole of her testimony.

Mr. Canning agreed with the honourable and learned gentleman as to the difficulty under which the committee laboured; but thought that one or two questions, as to the fact of her communication with other witnesses, might still be asked her to-night; and these might be made so short as not to affect the most delicate state of health and spirits. If these questions were not put now, the committee would recollect there were other modes than personal communication, through which the witness might learn the proceedings of the house.

Mr. Whitbread could not see any reason for asking the questions now in preference to any other time, nor what end could be answered by it. He cautioned the commit-

see against any hasty determination upon the evidence before them; and thought an attendance on the house of eight hours a sufficient plea for the illness of any woman.

WILLIAM DOWLER, Esq. was again called in, and examined by the Committee, as follows:

Since you quitted this bar, have you had any communication with Mrs. Clarke? Only to offer her refreshment, as she is very unwell; I procured a glass of wine and water for her, which I put beside her.

Have you communicated to her the substance of what passed here during your examination? No.

How long were you in the room with Mrs. Clarke? I imagine five or ten minutes:—the gentlemen withdrew from the room for some time, and I was absent at the time: I was in the room perhaps five or ten minutes.

Did you give Mrs. Clarke any intimation whatever of what had passed in this House? She asked me the names of the gentlemen by whom I had been examined; and I answered that I did not know them.

What other persons were present in the room? The whole of the witnesses, I believe; she was unwell, and several gentlemen gathered round her, and asked her whether she would take refreshment.

How many witnesses are there attending? When I say all the witnesses, I suppose there were eight or nine in the room, I cannot speak positively.

Were you apprised that you ought not to have any communication with Mrs. Clarke? I felt so.

And acted entirely from your own feelings upon the subject? Yes.

(The Witness was directed to withdraw.)

[The Chairman was directed to report progress, and not leave to sit again.]

HOUSE OF LORDS.

THURSDAY, FEB. 9.

Lord Meira called the attention of the house to the evils resulting from the present mode of process in actions for debt, and briefly repeated the substance of the observations which he had so frequently submitted to their lordships on this subject. He did not wish to put an end to arrests in *mesne process*, but he thought the old practice should be revived, of making the plaintiff give a real pledge to prosecute his suit to a final judgment, with the least possible delay. This would prevent the grievance of persons lying in custody, sometimes more than a year, before the actual ground of debt was ascertained. It was

also his wish to make a distinction between the case of the fraudulent and the unfortunate debtor. The assertions which he had made of the benefits that would flow from a recurrence to the ancient law and practice, had been controverted by high authorities. He, therefore, conceived that the best way of arriving at such a conclusion as should guide the opinion of their lordships upon those opposite statements, would be to refer the matter to an open committee. His lordship, accordingly moved, that a committee be appointed to examine into the present practice of imprisonment for civil debt, and the consequences thereof.

The motion was agreed to, and the committee was ordered to sit on Monday.

Adjourned.

HOUSE OF COMMONS.

THURSDAY, FEB. 9.

THE COMMANDER IN CHIEF.

Mr. Wardle moved the order of the day for the house to resolve itself into a committee for farther inquiry into the conduct of his Royal Highness the Duke of York.

Mr. Yorke wished, previously to the house resolving into a committee, to explain the grounds of his recommendation, on a former night, that a witness should be detained in the custody of the Serjeant at Arms, to prevent communication with other witnesses already examined, or to be examined, on a subject of so much importance. The right honourable the Speaker had, on that occasion, given his opinion upon the subject, in opposition to what he felt it his own duty to propose; and he now thought the house acted wisely in following that opinion. What he himself had proposed he conceived to be founded on parliamentary usage, although he then spoke generally, without being able at the moment to refer to particular precedents. He had since, however, made more minute research; and although gentlemen seemed before to think he recommended something which was novel in parliamentary proceedings upon such cases, he was now enabled to refer them to precedents upon the journals of the house, and in times to which the house had been in the habit of looking up with veneration, namely, those shortly subsequent to the Brunswick accession. He

then moved, that the clerk might refer to the 18th volume of the journals, and the proceedings which took place from the 12th to the 17th June 1715, from which it appeared, that the house, on the representation of Mr. Walpole, chairman of a secret committee then sitting, had deemed it proper to order that Mathew Prior, Thomas Hardy, and several other persons, should be taken into close custody of the Sergeant at Arms, and there detained during the pleasure of the house, in order to prevent them from withdrawing themselves, and to secure their evidence before the secret committee, touching the matters then under inquiry. And the said Mathew Prior having refused to be examined before the said secret committee, he was ordered to be detained in close custody; and a petition having been presented by Mr. Prior to the house, complaining of the hardship of such detention, no order was made upon it until the 20th of September following. The next precedent to which he would refer the house for proof of what their ancestors had done in similar cases, was in the 21st volume of the journals, on 15th February, 1731, when the house had ordered a number of persons to be taken into close custody, who, it was apprehended, were about to withdraw themselves from giving testimony. The necessity of such proceedings, however, must always depend upon circumstances: the house must in its own discretion judge whether, under those of the present case, it was eligible to follow the precedents he had stated: at all events he hoped he had shown that his proposition was not unparliamentary.

Lord Folkestone could not accede to such a doctrine, as that the communication between witnesses either before or after examination at the bar of that house was to invalidate their testimony. It must be quite impossible to prevent such communication from taking place between persons desirous of giving the fairest evidence. And if the right honourable gentleman meant, in the course of this inquiry, to found any proceeding upon the precedents he had quoted, he (Lord Folkestone) trusted no such proceeding would be adopted, without giving the house time to search more minutely for further precedents.

Mr. Fuller said: it was impossible for any honest man about to give testimony before that house, to entertain a wish for holding any communication with other witnesses. No witness could wish to hold any such communication

but for the purposes of deception, and he was surprised the experience of the hon. gentleman had not taught him a different way of thinking.

MR. PETER FINNERTY.

Mr. Sheridan now rose, and observed, that in consequence of some interrogatories put on a former night by an honourable member to Mr. Corri, one of the witnesses examined before the committee, in order to know whether Mr. Finnerty was one of the persons to whom he alluded as present with him at Mrs. Clarke's house, an idea had gone forth that Mr. Finnerty was the person. He had himself, however, since Tuesday night received the most consistent assurances that Mr. Finnerty was not the person, nor had he any concern whatever in these transactions. With regard to Mr. Finnerty himself, he was at present under prosecution by the Attorney-General for a libel against his Royal Highness the Duke of York, and he felt that such an idea going forth to the public as that he was the person alluded to by Mr. Corri in his evidence, would be extremely prejudicial to him on his trial. He was therefore extremely desirous to remove such an idea, and to prove to the house that he was not the person. He now held in his hand a petition from Mr. Finnerty, which he would beg leave to present to the house.

The petition was received and read:

It purported to be the petition of Peter Finnerty, of Clement's-lane, gentleman, and stated, "that the petitioner had heard with surprize and regret, that in the course of an examination now carrying on before that honourable house, relative to his Royal Highness the Commander in Chief, his name had been frequently introduced; and that questions had been put, implying suspicions which might produce imputations injurious to him, upon a prosecution instituted against him by the Attorney General, and which was expected shortly to be brought to trial. Petitioner, therefore, thought it necessary to state to the honourable house, that he was perfectly ready and willing to appear at the bar, and answer any question that might be put to him, as he had never been engaged in any transaction which he would shrink from avowing; and he begged leave to assure that honourable house, that his answers would be frank, full, and explicit."

The petition was ordered to lie on the table.

WILLIAM STURGES BOURNE, Esq. attending in his place, made the following statement:

I stated on a former night, that I had never seen the witness, Mr. Dowler, and that I did not recollect that he had ever been recommended to Mr. Pitt through me; but that if such recommendation had taken place, I should probably be able to find a memorandum of it: I have since searched for such a memorandum; but I can find no trace of his having been so recommended.

WILLIAM HUSKISSON, Esq. attending in his place, made the following statement:

I stated on the former evening, that I had no knowledge of Mr. Dowler, nor no recollection of ever having seen him, or his having been recommended through me to Mr. Pitt. I certainly have now no recollection of any circumstance I had not then; in consequence of what I stated to the committee, that I should make an inquiry, I proceeded in the first instance; to cause a careful search to be made at the Treasury, whether among the muniments of that department there was any paper to be found, or any trace of a recommendation of this gentleman; the result of that search was, that there was no such document in the Treasury. I then sent to the present Commissary-General, Mr. Coffin, and I desired Mr. Coffin to examine all the books of the late Sir Brook Watson, and all the papers which, in the course of office, when he succeeded Sir Brook Watson, had been placed in his care; I also desired the person who had Sir Brook Watson's private papers, his executor, to examine such papers as were in their possession; they have not been able to find, either in the public records of the Commissariat Department, or among his private papers, any trace of a recommendation by him, either official or private, of Mr. Dowler, to the situation he now holds; the only mention made of Mr. Dowler in the books of this department is what I shall state presently. Having failed in this quarter, I applied to Mr. Adams, Mr. Pitt's private secretary at the time he was appointed, for any information he might possess, or any recollection he might have upon the subject. Mr. Adams had not the least recollection, as he stated, and is ready to state in evidence if he is called, of any recommendation of Mr. Dowler; he states, that with respect to all private papers of Mr. Pitt, and any memoranda which might have been kept of persons who had been recommended to him for appointments, whether those appointments had been conferred or not, they were in the possession of the Bishop of Lincoln, as his executor. Mr. Adams went accordingly to the town residence of the Bishop of Lincoln, the Bishop is at Blackden, and therefore he could not obtain any information there; but Mr. Adams stated to me, that before the papers of the late Mr. Pitt were removed from Downing-street to the Bishop's, all those which did not appear to be of any importance, but merely of indifference, were destroyed. Whether any memorandum of this nature were or were not, I must leave the committee to form an opinion. I also inquired of every gentleman in the Treasury, at that time, as to any knowledge they might have respecting the manner in which Mr. Dowler had been recommended; none of those whom I have seen, profess to have any knowledge of the quarter from which he was recommended. Under these circumstances, it may perhaps be necessary to state, if the committee wish for any further light I can throw upon this sub-

ject, that I find upon the 29th of March, 1805, Sir Brook Watson, then commissary-general, applied officially to the treasury by a letter, which I hold in my hand, that three additional assistant commissaries should be appointed. If it is necessary I will read the letter. On the 5th of June, 1805, Sir Brook Watson writes again to the treasury, requesting that five additional commissaries may be appointed. But I must here observe, that by the context of the letter of the 5th of June, it appears that his request of the 29th of March had not then been attended to; no appointments had taken place in consequence of the former letter; that would be, therefore, five in the whole; and he presses their immediate appointment. On the 6th of July, he stated the necessity of one more, in consequence of one being in ill health. In consequence of these requisitions of Sir Brook Watson, it appears, that on the 15th of June I was directed by the lords of the treasury to write a letter to the comptrollers of army accounts. This is the first trace I can find of Mr. Dowler. This letter it may be necessary, perhaps, I should read to the committee.

[Mr. Huskisson read the letter.]

"Treasury Chambers, June 15th, 1805.

"Gentlemen,

"The Lords Commissioners of his Majesty's Treasury intending to recommend to his Majesty, William Dowler, gentleman, for the situation of assistant commissary on the home establishment, if he shall be found properly qualified for that service, I am commanded by my Lords, to desire you will accordingly examine into his fitness and sufficiency, and report to this board the result of such enquiry.

"I am, &c.

"W. HUSKISSON.

"Comp. Army Accounts."

With respect to appointments of this nature, none are made without referring to the comptrollers of army accounts, to examine into the fitness of the person; it therefore becomes necessary, in case my colleague or myself were directed to prepare a commission for such a person, to put him into this course of examination, as preliminary to granting him such an appointment. In consequence of this reference to the comptrollers, a report was received from them, which it may be also necessary to read: this report was on the 3d of July.

[Mr. Huskisson read the letter.]

"(No. 175.)

Comptroller's Office, 3d July, 1805.

"My Lords,

"Mr Huskisson having by his letter of the 15th ultimo, signified to us your Lordships commands, that we should examine into the fitness and sufficiency of Mr. William Dowler for the situation of assistant commissary of the home establishment, and report to your lordships the result of such enquiry;—We have been attended by Mr. Dowler; and having proposed such questions as we conceived necessary for him to answer in writing, we report to your lordships that, in answer to our questions, Mr. Dowler states himself to be thirty-two years of age, born in the parish of St. Clement Danes, London.

"That he has not hitherto served in any commissariat, but that he received a commercial education at Mr. Eaton's in Tower-street, and for sixteen years had the management of his father's counting-house, till he retired from business; that he understands French and Latin;

that he is conversant in arithmetic in general, including fractions; that not having served in the Commissariat, he cannot say that he is acquainted with the forms of returns and vouchers, or the method of keeping and making up commissariat accounts for cash and stores: but as he has received a commercial education, and perfectly conversant in mercantile accounts, we are of opinion, that your Lordships may with propriety recommend Mr. William Dowler to his Majesty, for the situation of assistant commissary.

"We have the honour to be,

"My Lords,

"Your Lordships

"Most obedient, humble Servants,

"JAMES MARTIN LEAKE,

"J. EAKINS.

"Rt. Hon. Lords Commissioners of
"His Majesty's Treasury."

Indorsed:

"(175.)

"3d July, 1805.

"Comptrollers' Army Accounts.

"On the fitness and sufficiency of Mr. William Dowler for the situation of an assistant Com. on the home establishment.

"No. 2,720.

"Res. 4th July, 1805.

"Read 5th July, 1805.

"Give the necessary directions for the appointment.

"Cipriani."

In consequence of this report from the comptrollers, a letter was written to the secretary at war, desiring the secretary at war, to lay before his majesty a commission for the appointment of Mr. Dowler to be an assistant commissary on the home establishment. And here it may be necessary for me to state the course of proceeding in that respect; it is indeed in consequence of some question I put to the witnesses. If a person is appointed a commissary on the home establishment no commission issues from the treasury, but merely a letter to the secretary at war, desiring he would submit a commission to his majesty: if it is necessary to send him upon foreign service, then he gets a treasury commission, which treasury commission entitles him, (as the witness states he had received) to five shillings additional pay, in consequence of going on foreign service. The first commission then issued from the treasury to Mr. Dowler, was when he went on foreign service to South America, and is dated the first of November, 1806; that commission is still at the treasury, Mr. Dowler never having called for it, nor taken it out. On the 27th of July, I find a letter from my then colleague, Mr. Bourne, stating to the commissary-general that Mr. Dowler had been appointed an assistant commissary; this is all I can trace in the treasury, or in the other departments, respecting this appointment. It may not be improper I should state to the committee, that I do find that, in consequence of the requisition of the commissary-general for this addition of five commissaries, made in June, there were appointed on the 18th of June a Mr. Stokes, on the same day a Mr. Green, on the 10th of July Mr. William Dowler, on the 25th Mr. Richard Hill, and on the 26th Mr. Charles Pratt. It is not within my recollection at this moment, upon what recommendation, or through

whose application any one of those persons was appointed; indeed, on looking over the list of the whole of the commissaries appointed during Mr. Pitt's last administration, amounting to seventeen or eighteen, I find but two of whom I have any recollection; whether I shall be able to find by the recollection of others who recommended them, I cannot say. I will only state further, that I am satisfied the channel through which he was recommended, whatever it may be, was one that did not give rise to any suspicion in any body connected with the treasury at that time, that there was any improper influence employed; and I can state that confidently for this reason, that it is the rule of the treasury, if they have any reason to apprehend any such transaction, to direct the comptrollers to whom they refer the parties, (and the comptrollers have a power) to examine upon oath as to such a fact. I could produce proof, if that is necessary, of such an enquiry being directed within these six months as to a person in the commissariat. I merely state this, because not finding any reference to such an enquiry being directed, I am sure that no suspicion of any such circumstance was in the mind of any person connected with the treasury. I have no recollection, nor do I know even now, of my own knowledge, through what quarter Mr. Manby was recommended. I have learned from a right honourable friend of mine who was then one of the lords of the treasury, that he was the person applied, to mention Mr. Manby to Mr. Pitt. If I had been able to trace in the same manner respecting this gentleman, I would have informed the committee.

MRS. MARY ANN CLARKE was called in, and examined by the Committee as follows:

Did you know Colonel French? I have been very much insulted. I knew I should be protected when I sent for the proper gentleman. I sent for the serjeant at arms to conduct me in: it was before I got into the lobby.

Did you know Colonel French? Yes I did.

Do you recollect whether he applied to you in the year 1804, to use your influence with the Commander in Chief, to have a levy of men for the army? He applied to me, but I cannot recollect the year.

Do you recollect that he applied to you to use your influence with the Commander in Chief, to have a levy of men for the army? Yes, I do.

Do you recollect if Colonel French offered you any pecuniary advantages for using your influence? Yes, I do; or I should not have mentioned his name.

Do you recollect what those offers were? No, I do not.

Do you recollect any part of the offer that Colonel French made? I have seen all the papers; but if I was to be guided by them, I should not guess nearer the thing itself than from my own memory; I cannot recollect the time nor the conditions.

Do you recollect that Colonel French entered into any conditions with you? Yes, I do.

Did those conditions imply, that you were to receive a pecuniary reward for your influence with the Commander in Chief? Certainly.

Did you, in consequence of this apply to the Commander in Chief, and request that Colonel French might be allowed to have a levy? Certainly.

Did you state to the Commander in Chief, that you were to have any pecuniary advantages if Colonel French was allowed to have a levy? Yes, certainly.

Did the Commander in Chief promise you, after such application, that Colonel French should have a levy? Yes he did.

Did you, in consequence of Colonel French having such a levy, receive any sum of money from him, or any other person on that account? Yes.

Can you state any particular sums that were paid to you on that account, and by whom? I recollect having one sum, but I cannot tell whether it was Colonel French or Captain Sandon, of five hundred guineas, bank notes, making up the sum of guineas; and I paid five hundred pounds of it on account to Birkett, for a service of plate, and his Royal Highness paid the remainder by his own bills; I fancy his Royal Highness told me so.

Do you recollect any other sum or sums that you received? Yes, but I cannot speak to the amount of them. I fancy that Mr. Dowler was by, when I received the money I paid for the plate.

Do you recollect that either Colonel French or Captain Sandon applied to you to prevail upon the Commander in Chief to make any alterations from the original terms of the levy? They teased me every day, and I always told his Royal Highness, or gave him Colonel French's notes; but I cannot tell what it was about, for I never gave myself the trouble to read them. I was not aware of what they always asked me or wanted, but his Royal Highness always understood it I believe.

Do you recollect, that during the progress of the levy, any loan was to have been made to the Commander in Chief, by Colonel French? No, no loan by Colonel French.

Do you recollect that any loan was to have been made to the Commander in Chief, arising out of the levy, or connected with the levy? Colonel French told me, that if his Royal Highness would pass the accounts which had been some time standing, and which Colonel French and his agent had every reason to expect to have been passed before, and which were all very correct, he would accommodate him with 5,000*l.* upon proper security being given, at the regular interest.

Did you speak to the Commander in Chief upon this subject? Yes, I did.

State what further you know upon that point. I believe that his Royal Highness applied as far as was proper in him, and he could not command the money from the different offices, or the office where it was to be paid, and the thing dropped; he has no business whatever with money, and perhaps he was rather delicate on that subject of pressing, when he expected to receive the 5,000*l.* on loan, and where it might be publicly known afterwards.

How often have you seen Mr. Dowler since he arrived in England? Once, and the other night, till he was called in here; I have not seen him since.

Then you have seen Mr. Dowler but twice since his arrival in England? Certainly not.

Did you inform Colonel Wandle of the details of the transaction relating to Colonel French's levy? Yes, I did of some part; of the best part, but not of all that Mr. Dowler has mentioned, by what I saw by the papers; I have had no communication by note or otherwise with him, or any one connected with this business, since I left the house

the other night; I have only seen two men since; General Clavering has called twice to-day, begging that he might not be brought forward, but I would not see him; and another gentleman, whose name I will mention hereafter, and what he came upon.

How long have you been acquainted with Mr. Dowler? As I have seen the papers, it is almost useless to ask me that, because I might agree with him.

How long have you been acquainted with Mr. Dowler? Eight, nine, or ten years; I cannot say which.

Have you not at various times received sums of money from Mr. Dowler? Some few sums.

Can you recollect the particulars of any of the sums, or the amount of the whole, which you may have received from Mr. Dowler? I can speak particularly as to receiving a thousand pounds for his situation.

Was that 1000*l.* which you received for his situation, the last sum of money you received from Mr. Dowler? No.

Was it the first you had ever received from Mr. Dowler? I cannot speak particularly as to that.

Do you owe Mr. Dowler any money? I never recollect any debts to gentlemen.

Do you owe Mr. Dowler any money? I do not recollect, nor can I recollect any debt to him.

Have you not frequently recognized debts to Mr. Dowler, and professed to have them paid? I only recollect one, where I had two or three carriages seized in execution, or something; I had nothing to go out of town into Weybridge; I sent a note to Mr. Dowler's lodgings, and begged he would buy or procure me a carriage immediately; he did so in a few hours, and I told him his Royal Highness would pay him hereafter for it; His Royal Highness told me that he would do so for it, or he would recollect him in some way.

Did you inform Mr. Dowler of that answer of his Royal Highness? Yes, I did.

Are you positive of that? O, quite so.

Try to recollect yourself, and answer positively, whether you were not in the habit of receiving money from Mr. Dowler prior to the money given for his appointment? I am perfectly collected at present, and I cannot recollect any thing of that sort ever happening. I am very equal to answer any thing now which is asked me by this honourable house.

Do you recollect seeing Mr. Corri at your house on the 6th of January last? I have seen him twice at my house.

In the month of January? I cannot recollect the month; it is not long since.

What other persons were at your house on the first occasion that you saw Mr. Corri? I found Mr. Corri at my house one day, in consequence of a note I had sent to him to procure me a box at the opera, to treat with my lawyer, Mr. Comrie, about one; it was very near dinner-time when I found him there; I could not do less than ask him to dine with me; and afterwards he went up into the drawing-room; there was a gentleman, who was a relation of mine, who dined with us, and some young ladies.

Were that gentleman and these young ladies the only persons with whom Mr. Corri was in company at your house on that day? I believe one or two came in, in the course of the evening.

Who were the one or two? I do not at this moment recollect; if you will ask me exactly their names, and make the question pointed, I will answer it; they were my friends no doubt; but I believe only one came in.

Who was that one? A friend.

What was his name? If you will tell me his name, I will tell you whether it was him or not.

[The chairman informed the witness that she must answer the question.]

It was Colonel Wardle.

Was Colonel Wardle the only other person that came that evening? And any relation.

Do you recollect having received a second visit from Mr. Corri at your house some short time after this? Yes; he brought two boys to sing to me.

State the names of all the men who met Mr. Corri at your house that evening. If I do so, I should not have a decent man call on me in future.

[The chairman informed the witness she must answer the question.]

Am I obliged to answer this question? If I am, I do not wish to blather myself.

[The chairman informed the witness, that it was her duty to answer the questions proposed to her.

Must I without appealing to you?

[Chairman.—If any improper questions are proposed, the Committee will take notice of them, and prevent their being put.

No one has yet done that to me.

A great deal of clamour took place during these retorts of the lady, who was now ordered to withdraw.

Mr. Whitbread said, that a general question like that put by the honourable gentleman, might cause the witness to hesitate, without meaning any disrespect to the house. He wished the chairman therefore to be instructed to inform her on her return, that she would be protected in any appeal to him when any question was put which she conceived it improper to answer.

Mr. Croker observed that the honourable gentleman seemed to have forgotten that the question had been thrice repeated, and the witness had most improperly answered in an evasive manner. He had confined himself to two points, and not gone into general questions, and these points seemed very necessary from the stress laid by the house on a former evening on the persons present, when Mr. Corri visited Mrs. Clarke, and on the petition presented this evening, which had been cheered from the side where it came from.—[Hear, hear! no no, from the opposition side.]

Sir T. Turton supported the witness's right to appeal to the chairman.

Mr. Wharton said, he would be obliged to the committee for instruction; no objection had been made to the question, and he finding no reason in his own mind to consider it as improper, had directed the witness to answer it. He now wished to know if she was to be ordered to do so; at the same time that he assured her that any appeal she made would be attended to.

Mr. Wardle wished *Mr. Croker* to contrive to get his information without hurting the feelings of the witness. Could not he ask if persons of such and such names were present? He did not wish to screen one fact, but the witness might be hurt, and not one point gained by the present general mode. He therefore recommended the other.

Mr. Croker replied, that from the name of one person being, particularised the last night, that person (*Mr. Finnerty*) had felt himself aggrieved, and had petitioned the house. He would not repeat the same practice by mentioning names.

Mr. Fuller thought the witness right, and would protect her in her caution. If she answered this question, the names of married men, and men who had families might be divulged, and create trouble and confusion.

The Chancellor of the Exchequer thought it would be necessary to admonish the witness again to give direct answers, and not to introduce her with an assurance of protection in her appeals, which she might construe into an approbation of her conduct, which to say the least of it was extremely indecent and insulting to the house.

Mr. Windham said, if the committee saw any necessity for the question, the witness of course must answer it. But if there was none except the honourable gentleman (*Mr. Croker*) who could see this necessity, the chairman had only to acquaint the witness that her appeals to him would be attended to. There was much justice in an honourable gentleman's remark (*Mr. Fuller*) which had not been so much attended to as it deserved. It was not to protect the witness, but to prevent her from implicating others, that the answer would be dispensed with. He urged the honourable gentleman to consider if he could not get the information he wanted by a less general mode of questioning.

After some further observations from *Mr. Hibbert*; the

attorney general, and Mr. Whitbread, Mr. Croker said, he would pursue the course of examination he had begun, as he could not conceive it improper to ask the names of persons exhibited at Mrs. Clarke's before a music master and his two boys.

[The witness was directed to withdraw.]

[The witness was again called in, and was informed by the Chairman, that if any question should be put, which she thought improper to be answered, she was at liberty to appeal to the chairman, whether that question should be answered or not; and that with respect to the last question put to her, the committee expected that she should answer that directly or positively.]

State the names of all the men who met Mr. Corri at your house that evening. Captain Thomson, Colonel Wardle, and a newspaper man, whose name I really do not recollect; I never saw him but twice before; but he answered exactly to the description I read in the paper, as given by Mr. Corri; I shall know it to-morrow; it begins with Mac.

Was the name Macallum? Yes.

Did you represent any of those persons to Mr. Corri, under a false name? No, I told him one was a member, which was very true.

You did not tell him that it was Mr. Mellish, a member? No, it was his own mistake.

Which of the three persons was it, that you introduced to Mr. Corri, and represented as a member? Mr. Wardle.

Do you recollect in what sums you received the 1000*l.* that Mr. Dowler gave you for his place? Perfectly well.

State them,—200*l.* first, and 800*l.* afterwards, in one sum, which his father came up to town to sell-out of the funds.

Was not that 200*l.* paid to you before the appointment had been obtained? A few days.

You have stated, that you do not accurately recollect how long you have been acquainted with Mr. Dowler, whether eight or nine, or ten years? Exactly so.

Cannot you recollect whether it was eight or ten years? No, I do not think I can.

Were you acquainted with Mr. Dowler before you lived in Gloucester-place? Yes I was, some years.

Were you acquainted with him before you lived in Tavistock-place? Yes I was.

Did you never receive any money from Mr. Dowler, while you were living in Tavistock-place? No.

Do you recollect your ever having received any money, before you received the 200*l.* part of the 1000*l.* from Mr. Dowler? No, I do recollect that I had.

Do you recollect having received any money since the 1000*l.* except the money for the carriage? I think once or twice I have, speaking from my recollection.

Did you receive the money for the carriage, or did he pay for the carriage? He paid for it, and he sent the carriage in within the space of two hours. He bought it of a Colonel Shipley.

Did he pay for it? Yes, certainly.

He did not give you the money to pay for it, but paid for it himself? Yes.

Do you recollect any other sums of money you received from him subsequent to that respecting the carriage? Only the other two sums of 800*l.* and 200*l.*

Were they before the carriage or afterwards? Before.

Then are those the only three instances of your receiving money from Mr. Dowler, the 200*l.* and 800*l.* and the money for the carriage? I cannot speak to any exact sum, but I think he has once or twice paid something for me to my housekeeper; when she has told him something that was distressing, he has given her money to pay for things, when his Royal Highness was not in the way; it has not come to my knowledge sometimes for a week afterwards; but those were marked things, the other things.

Was Mr. Dowler in the habit of seeing you very frequently? Not very frequently, but when he had lodgings in London; about the time of Colonel French's levy he was.

Did you see Mr. Dowler after he came from examination at this bar the last night of examination? Not the last time he was examined, but before.

Upon his retiring from the bar? Never since.

After his first examination here? Yes, I did.

Did any thing pass between you and Mr. Dowler respecting his examination, when he returned? Certainly not about money concerns; he only mentioned to some gentlemen who were present the conduct of one or two of the members, who he thought harassed him very much, and put questions very distressing to his feelings on private occurrences, that had nothing to do with the question pending; it was a Mr. Bootle he was speaking of; that he would rather give (I think his expression was) every guinea he was worth, than be brought before such a place again.

Did he state what he had been examined to? He said he had been examined closely to his private concerns; he did not speak of any thing else; it was not to me, it was to this gentleman, a stranger, one of the members.

Did you ask him what he had been examined to, or make any observations as to what had passed? I asked him who had examined him.

But not what he had been examined to? No.

How long have you been acquainted with the Duke of York? I believe it was 1803, when he first took me under his protection.

Were you acquainted with the Duke of York before that period? Yes, I was.

At that period he took you more immediately under his protection; had you an establishment from that time? No, I think it was from 1804 to 1806, that the establishment commenced only in Gloucester-place; we were in Park-lane before, in a furnished house.

Had you any establishment of horses and carriages in Park-lane? Only what belonged to myself.

What number of carriages had you when you lived in Gloucester-place? I always had two.

What number of horses? About six; sometimes eight.

What number of men servants? I do not know without I was over it.

State the servants you had. There was butler, coachman, postilion, groom, mostly a man cook, a gardener, and two footmen; from seven to nine; I do not know exactly.

To whom did the house in which you lived belong? To the Duke.

Who paid the expences of the establishment? I did.

What allowance did you receive from the Duke of York for that purpose? His Royal Highness promised me 1,000*l.* to be paid monthly, but sometimes he could not make the payments good, which was the occasion of many distressing circumstances happening.

Was it on the bare promise of 1,000*l.* a year, that you mounted such an establishment as you have mentioned, and with the expectation of no other means of defraying it? His Royal Highness did not tell me what he would give me till I was in it.

When was it that his Royal Highness promised you 1,000*l.* a year? He began it by paying it to me.

How long did he continue to pay it regularly? Till almost the whole time that we were together in it; for three months before his Royal Highness left me, he never gave me a guinea, though he was with me every day.

How were the monthly payments made; by his Royal Highness's own hand, or by what other means? His Royal Highness wished me to receive it from Greenwood; but I would not subject myself to that, although it would have been more punctually paid.

How did you receive it? From his Royal Highness.

Did you ever receive more than at the rate of a thousand a year from his Royal Highness? His Royal Highness, if any thing unpleasant had happened, which was always happening, would sometimes contrive to get a little more, and bring me.

Do you know what is the total amount of the sums you received from his Royal Highness, during the time you lived in Gloucester-place? Certainly not.

Were the sums you received from his Royal Highness adequate to the payment of the expences of the establishment you kept up? I convinced his Royal Highness that it did not more than pay the servants' wages and their liveries.

Did you state that to his Royal Highness? Many times.

What observation did he make in consequence? I do not know that he made any observation on that; but after we had been intimate some time, he told me, that if I was clever, I should never ask him for money.

Do you remember at what period it was that his Royal Highness made that observation? No, I do not; but it was when he had great confidence in me.

Was it before you removed to Gloucester-place? Not till some time after.

Can you at all state what was the amount of the annual expence of your establishment? No.

Pretty nearly? Not the least; I cannot give a guess.

You stated in a former part of your examination, that you were going to Weybridge; had you a house at Weybridge? Yes.

Was that your house or the Duke of York's? It was the Duke's.

Had you a separate establishment there, or did the establishment move from Gloucester-place to Weybridge, and from Weybridge to Gloucester-place? There was a groom there, and a gardener, and

two maids; the remainder of the servants waited on me when I went; I was never there but from Saturdays till Mondays, and I always took four more servants with me, sometimes five.

Did the sums of money you received in the monthly payments, and by occasional payments from the Duke of York, nearly cover the expence of your establishment? If it had, I should never have been harassed for money as I was during the whole time I was under his Royal Highness's protection.

Do you know a person of the name of William Withers? Yes, I do.

What is he? He is a sheriff's officer.

How came you acquainted with him? He had some business with me in his own way.

Was it in consequence of your pecuniary distresses, that you became acquainted with William Withers? No one would ever know a man of that description, but through that very thing.

Did you ever enter into an agreement with William Withers, for participation in any sums of money which you might receive? Never, nor ever hinted at such a thing.

Do you recollect the first time you ever made application to the Duke of York for any thing connected with army promotions? No, I do not; it was after I was in Gloucester-place.

Were the applications you had to exert your influence with the Duke of York numerous? Very.

Were those applications universally attended to by you? Not always by me; if I thought they were not correct, nor proper to recommend, I mentioned it to his Royal Highness, and he told me who were proper and who were not, and then I could give my answer the next day, as from myself, whether I could listen to any thing or not; if they were improper, he told me to say I could not interfere, without saying that I had mentioned the matter to him.

Did you uniformly inform the Duke of York of every application you had received? Yes, and hundreds had been rejected but through his means, for I did not know who were proper or who were not.

When you have received applications, did you entirely trust to your memory, or did you record them on paper? If it was a single application, I trusted to memory and his Royal Highness, who has a very good one; but if there were many, I gave him a paper, not in my own writing.

Gave him what paper? Any paper that might have been handed to me.

Do you mean a list of the applications? I recollect once a list, a very long one, but only once.

Do you recollect how many names were upon that list? No, I do not.

Do you recollect when that list was existing? No, I do not; but I know that that must have been a little time before Colonel Tucker, who is lately dead, was made Major Tucker; there were two brothers of them.

For what reason do you know that it must have been before Colonel Tucker was created a Major? His Royal Highness had promised that he should be in the Saturday's Gazette, and one day, coming to dinner, a few days before, he told me, Tucker had behaved very ill, for that

Greenwood had him, and to inquire into it, for that he had come to play with me, and, perhaps, to make a talk; that he was not serious in the business. I inquired into it, and found it was so; and his Royal Highness said, that Sir David Baird had recommended him. That was the answer that Greenwood gave to it. But when I gave his Royal Highness that list, that is, when he took it, with the number of names upon it, he asked me what I meant by it; if I wanted those men promoted; and if I knew any of them or not, and who recommended them? I told him, I did not know any one, and that what I meant by it, being in his way, was for him to notice them. He said that he would do it; that there were a great number of names, and that if I knew any thing at all of military business, I must know it was totally impossible for him to do it all at once, but that he would do it by degrees; that every one should be noticed by degrees: and among those was Captain Tucker.

Is that list in existence now? No, his Royal Highness took it away with him that morning; and, from that moment, I knew in what way it might have his sanction to go on. I saw it some time after in his private pocket book.

Is that the only list that was ever made out by you? I did not make it out, some one gave it me; that was the longest list, and the only list that I recollect; I never gave him any other list, I am sure. There might have been two names down.

Were you in the habit of making out a list to refresh your own memory? No; their friends always took care of that.

Do you mean, that you used to receive the names of the applicants in writing? I have had letters, hundreds upon hundreds.

What do you mean by stating, that their friends took care of that, in your last answer but one? They expected the thing should be done immediately, and used to tease me with letters.

Do you recollect any other names, except that of Captain Tucker, in the list you have referred to? I believe so, but I would not mention the name of any man who had behaved well to me, on any account. His Royal Highness did not promote the whole of that list.

Your acquaintance with William Withers, you have stated, was owing to some pecuniary embarrassments of yours; in what way were those embarrassments satisfied? I gave him two bills on my mother for 300*l.* each, and that satisfied those things; I never gave him any thing, nor spoke to him on anything relating to military business.

Do you recollect from whom you received the list you have spoken of? I think, from Captain Sandon or Mr. Donovan; but Mr. Donovan is quite prepared to deny it.

Can you state positively whether you received it from Capt. Sandon, or Mr. Donovan? No, I cannot, they were connected in some way or other together.

Have any questions been read to you by any individual whatever, as such questions as would be asked you in this house? No, never.

You have mentioned having received various sums of money from Mr. Dowler, and in particular two sums of 200*l.* and 500*l.*; state upon what consideration those sums were received. It was for Mr. Dowler's appointment, but previous to that he was not to have paid me money.

To what appointment do you allude? In the commissariat; assistant commissary.

Whom did you apply to, for that appointment for Mr. Dowler? His Royal Highness.

From whom was it notified to you, that that appointment had been made? His Royal Highness; he told me that he had spoken to Mr. Charles Long upon it, and it was settled at last; that there had been some little difference in the Prince's regiment, that Mr. Manby was obliged to leave it, and his Royal Highness promised to the Prince of Wales to give something to Manby, and to seem very civil to him, he must gazette him before Mr. Dowler; but before Mr. Dowler proposed to give him the money for the situation, I fancy he was to have procured some votes for the defence bill; I think it was something like that name; Mr. Pitt was very ill at the time, and I think it was something of that sort mentioned; however Mr. Dowler could not bring forward the number of voters that I had given the list of to the Duke, seventeen I think, and there were very few of them came; but I recollect one gentleman, General Clavering, got up from Scotland, Lord John Campbell; and although Lord Lorn would have voted for Mr. Pitt, and of course his brother would have gone the same way (but he was not in London), still it was considered that it was a great favour bringing up Lord John from Scotland; he was the only man that I recollect, and that was through my means; I had a few more friends besides, but it dropped. Mr. Dowler could not bring the men forwards, some of them were in the opposition. His Royal Highness told me he gave the list to Mr. Charles Long, and he was delighted with it.

You have used an expression relative to Captain Tucker, that Greenwood had him; explain what you meant by that expression? I do not know, I never inquired further into it; I was very angry that the man should be only laughing with me; it was his Royal Highness's expression, not mine; but I am almost certain that Captain Sandon knows him, and about it, though perhaps he will not own to it.

Were you in the habit of showing to the Duke of York the letters which contained the applications to you for influence? Yes, I was; but I did not trouble him with all, not many upon the same subject; if a man wrote one letter first, I might shew him that, but if he wrote me ten more, I might not trouble his Royal Highness with those: they frequently used to call, and wait for answers while his Royal Highness was there, though they did not pretend to know he was there.

Then if those letters contained an offer of money to you for the exertion of your influence, his Royal Highness must have been aware of it? He was aware of every thing that I did, but I never was very delicate with him upon those points.

Did you shew to his Royal Highness letters containing such offers, as well as letters that did not contain them? Yes, I did.

On the first day of your examination, you stated, that a bill of two hundred pounds, which you received from Mr. Knight, was sent from your house to be changed by a servant of his Royal Highness; how do you know it was taken by a servant of his Royal Highness, and not one of your own servants? I believe that I did not state that it was his Royal Highness's servant who took it, but that his Royal Highness had something to do with the changing that note; and on Saturday or Monday morning, I do not recollect which it was, when it was raining very hard, I believe it was Monday, I heard where my butler lived,

and I went into York-place, and sent my footman to fetch him out; he came out, without previous knowledge of who called upon him, and I asked whether he recollected any thing particular the evening that his Royal Highness was going to Weymouth, and myself in the morning to Worthing; he asked me to what point, I said about a bank note; he said, perfectly well; he had been trying all over the neighbourhood to get change for a note, that it was a very large note, he supposed a fifty-pound note, that he came into the parlour and said he could not get change for it, and then his Royal Highness said, "Do go to my wine-merchants, in Bond-street, Stephens's hotel, and get change, and tell them where you come from;" that on this same night he had called at Byfield's, the confectioner's, and tried there, and they could not do it; and that he went and saw Stephens's partner, it being very late Stephens was not there, that he got change for it there, and that was the whole. But I told him he must come and speak about it, that a summons would be sent to him, and would it hurt him with respect to his master and mistress, his being examined; and he told me they would not be angry, he supposed, for it was Lady Winterton's son he lived with, and he supposed lady Winterton would not be against it. I spoke to him the other night in the room, I do not know whether before he was examined or afterwards, and he told me that he had called at Stephens's in Bond-street, and that they would not give him any information about the note, which, I believe, he did not state in the house.

[The witness was directed to withdraw.]

Mr. Wardle then stated to the committee, that in coming down to the house that afternoon, he had met *Mr. Pierce*, *Mrs. Clarke's* butler, in Gloucester-place, who told him, that since his examination he recollected having taken out a note to be changed, the night before the Duke of York went out of town, by the direction of the Duke of York and *Mrs. Clarke*, which direction was given him in the drawing-room. He (*Mr. Wardle*) asked him why he had not stated this at the bar. *Pierce's* reply was, that he was subject to dreadful head-aches, and that when he was at the bar, he was labouring under one of them, by which his memory was much impaired at the time. He (*Mr. Wardle*) put a question to *Pierce*, who spoke of having changed the note at some wine-merchant's, in Bond-street. He mentioned this subject to the committee, because he felt himself placed in a delicate situation, with respect to it, and he was anxious that *Pierce* should be called to the bar, in the course of the proceedings, and re-examined.

(The witness was again called in.)

You have stated, that you recommended *Mr. Dowler* to his Royal Highness the Duke of York; in what character did you represent him to the Duke of York? As a gentleman.

Did you represent him as a friend or relation of your own? Never as a relation, as a friend.

In recommending him to the Duke of York, did you mention that you were to have any, and what sum, in case he was appointed to the commissariat? His Royal Highness knew that I was to have a sum, for I told him that old Mr. Dowler had come up to sell it out of the funds.

Did you communicate, at the time, to the Duke of York, that you were to receive any, and what sum? I cannot exactly say to that; but I told his Royal Highness, that he would behave more liberally to me than any other person for the same appointment.

Are you quite sure of that? Quite.

Did you ever hear Mr. Dowler say that he was acquainted with Sir Brook Watson, the Commissary-General? No farther than that he knew him personally, or in the city; and I told his Royal Highness of it, that Mr. Dowler knew a little of Sir Brook Watson, and he said, that is a very good thing; but, I believe, Sir Brook Watson is dead; and I cannot make use of the expression that his Royal Highness then did about him.

Are you quite sure that Mr. Dowler did not represent to you, that he or his father had some interest with Sir Brook Watson? No, he never told me that he had particularly; he told me that Sir Brook Watson did not like him, for his father's way of voting, if I recollect right; I mean the city voting.

Did you ever receive a list of names for promotion from any other person than Captain Huxley Sandon and Mr. Donovan? I never received such a long list from any one, nor such a list? I never received more than two or three names? this I had for two or three days; it was pinned up at the head of my bed, and his Royal Highness took it down.

If you received any list containing two or three names, from whom did you receive such list? It will be seen, by the witnesses that have already been examined, that there were a great many sorts of agents or people that used to come and ask me things about them, and I cannot recollect; and, I believe, I got into very bad hands, or it would never have been exposed as it is now.

Cannot you recollect the name of any one person who gave you a list? I have mentioned the name of Colonel Sandon and Mr. Donovan; and there was a lady with Mr. Donovan the other night, in the room, which brought many things to my recollection, perhaps she can speak to something; she is an officer's widow, and, I believe, quite in the habit of military intrigue.

Did you ever circulate a list of prices of commissions? No, I never did; that did not belong to me, I never did it; I have seen such a thing, I saw it in Cobbett, but it is not true.

What is the name of the lady you have just mentioned, the officer's widow? She was with Mr. Donovan the other night; I used to see her very frequently; I have not seen her these three years; I do not recollect her name at present, I shall think of it presently, she is an Irish lady. I have received a letter this instant, which has exceedingly interested me, begging me that I would not go on, or to that effect; but I would wish the gentlemen here to ask Colonel M'Mahon, that my character may not appear so very black as it does at pre-

sent; I would wish the House to inquire of Colonel M'Mahon, if he thought I made any improper propositions, or any thing unjust to the Duke of York. I wish them to ask only of Colonel M'Mahon, what were my propositions to the Duke of York, and to inquire into all the particulars respecting the message of which he was the bearer; I am exceedingly sorry to expose him so.

Have you any objection to deliver in the letter you have received? I have received one before; I will, perhaps, in a few days, but not to night; I have hardly read it over.

[The chairman informed the witness, that it was the pleasure of the committee that she should produce the letter she had just received.]

When you did receive that letter, where did you receive it, and from whom? I received it at this door.

On the outside of the door? This instant, when I went out.

From whom? I believe one of the messengers.

[The witness delivered in the letter, and it was read.]

" Westminster Hull, Thursday night, eight o'clock.

" Madam,

" I am most anxiously desirous to see you to-night.

" The lateness of the hour will be no difficulty with me.

" It is, I trust, quite unnecessary to observe, that business alone is my reason for expressing by this solicitude in so earnest a way; or that if you think a more unreserved communication might take place at Westbourne-place, I would be there at your own hour to-night.

" To what this particularly refers you may have some guess, but it would be highly improper to glance at it upon paper.

" I will deliver this to one of the messengers, who will convey to me your answer; or if your feelings at all accord with mine, you will not, perhaps, think it too much trouble to write two notes, one to the care of the messenger who delivers this; the other addressed for me at the Exchequer coffee-house, Westminster-Hall. Believe me,

" Madam,

" Most sincerely your Friend,

" W. M. WILLIAMS."

" P. S. I have tried two or three members to deliver this, but they are afraid some injurious suspicion might attach.

" I hope you will not attribute my hasty manner to negligence or disrespect."

Is this the letter that so much interested you? Yes, it is.

Is this the letter that desired you not to go on? In my opinion it is, from what occurred yesterday.

What do you allude to as having occurred yesterday? A letter came to me yesterday from the same gentleman, and I could not exactly make out what it was or what he meant by it; he said he had seen me at the play one night, in company with Lord Lennox and Sir Robert Peate, about two months since, and that he took the liberty of addressing a letter to me to grant him an interview; I sent down my servant to say I was at home to him; this was the gentleman whom I alluded to as being the only one I had seen since I quitted this place. When he came into the drawing-room yesterday, he asked me whether there was any one in the back room; I said upon my word and

honour not; but I told him as my character now seemed so much hacked about with every one, I would open the door and convince him, which I did; he then began to question me how I felt towards the Duke of York, if I had any revenge, or if I had any wishes that his Royal Highness had not satisfied, and if any thing would induce me now to abandon the country with my children, and take all the blame on my own shoulder; that no sum whatever would be backward if I would say that I would, as my character now had been so very much with the public, it could not be worse if I would take it upon myself and abandon my country with my children, and I should be provided for for life in the handsomest manner possible; that he had no authority from the Duke of York, but it was the Duke's friends.

[The witness was directed to withdraw.]

Mr. Brand submitted to the house the necessity of taking immediate measures for securing *Mr. Williams*.

The Chancellor of the Exchequer was for the most prompt step possible.

The doors of the house were instantly ordered to be secured, and on the motion of the Chancellor of the Exchequer, the chairman having been previously instructed to report progress, and to ask leave to sit again that afternoon, the house was resumed.

The Chancellor of the Exchequer moved, "That the serjeant at arms have orders to take into custody William Williams wherever he could be found."—Carried *nem. con.*

The serjeant was then ordered by the Speaker to do his duty.

Mr. Wharton reported progress, and obtained leave to sit again in the course of the afternoon.

Mr. W. Smith wished that *Mrs. Clarke* might be called in to say from whose hands she received the letter.

Mr. Yorke and several other members addressed the house, but the prodigious tumult prevented us from collecting the tenor of their observations.

Mr. Whitbread moved that the house should remain in its present state until the return of the serjeant at arms.—Ordered.

The Speaker stated, that it would have been competent for the committee, in support of their own proceedings, to order the serjeant at arms to take into custody any person without delay. The first duty of the chairman would then have been to report progress, and, when the person was actually in custody, to move that he be committed.

The Serjeant at Arms then appeared at the bar, and informed the Speaker that *Mr. Williams* was in custody.

Mr. WILLIAM WILLIAMS was brought in, in the custody of the Serjeant at Arms.

Is that your hand-writing? This is my hand-writing, and I delivered that letter myself to the door-keeper.

Will you inform the committee who and what you are? I am a clergyman.

Where do you live? Am I bound to answer this question?

I have some personal reasons for not doing so; reasons applicable to me personally, to my private affairs.

[The chairman informed the witness he was bound to answer the question.]

My place of residence is now at No. 17, Somers-place, East, in the New Road, near Somers Town.

You have seen this letter which you delivered to the door-keeper; of course you are acquainted with the contents of it? I suppose the letter in your hand to be the same which was put into my hand just now; I am acquainted with it, having written it within this hour.

What was the business on which you wished to see Mrs. Clarke? I had business with her; I am sure I do not know how decorously to answer this question, but it has no reference to the examination now going on before this house.

Were you at Mrs. Clarke's house yesterday? Not yesterday, the day before.

What passed upon that occasion? The whole is not exactly in my recollection; I believe I was near an hour there.

State as much as you can of what passed upon that occasion. I am taken somewhat by surprise, but I will as nearly as I can recollect; it had some general reference to the transaction that is now investigating before this House.

State the substance of it. She asked me if I had seen the newspaper; I replied in the negative; she then related to me part of what I have since seen in the newspapers, that she was fatigued after many hours waiting here; I believe that was the substance of what she related.

Are you certain that it was the day before yesterday you had this communication? It was the morning after she was examined here; if I answer the question confusedly, I hope you will not be surprised at it, for I am a little surprised at finding myself here; this is the substance as far as related to any thing else that had reference to our acquaintance: I mentioned some persons that we were acquainted with, and as to their health and matters, not, I think, worth relating to the House; if you wish I will refresh my memory, and state the minutæ.

Did you state any thing to Mrs. Clarke as to the course of the examination hereafter to be pursued upon this business? I do not recollect that I did.

Did you give Mrs. Clarke any advice as to what she had best do upon this subject? I spoke, I believe, something to this effect, that it would be well and proper for her to be cautious.

Was that all? I believe I added, what every body is aware of, the high connections of the Personage whose conduct is now under your investigation, and that of course I reiterated what I had said before, that caution, I thought, would very much become her.

Did you advise Mrs. Clarke to get out of the way? I never did.

You are quite certain that you did not give her any advice of that sort? I did not.

Did you represent, that you came from any of the friends of the Duke of York? I did not, I spoke ambiguously, but I did not give her any such intimation whatever.

What do you mean by saying you spoke ambiguously? I spoke the sentiments of my own mind and my own cogitations upon that subject, not having any intimation from any individual in the world.

For what purpose did you go to Mrs. Clarke upon that day? I suppose I may be allowed to pause a moment or two before I answer that question, because it involves a variety of circumstances that now press upon my mind.

[The Witness paused for some time.]

Among other things, I thought that the confidential intercourse that must have passed between her and the person, whose name perhaps I am not at liberty to mention, might have given her opportunities of observing upon his conduct in moments of unreserved communication, and that to introduce matters of that sort before this House would excite certainly his personal resentment as well as the indignation of his family, and that whatever promises might be held out to her would probably not in the event be found sufficient to protect her from the resentment that they probably might conceive it was right at some time to exercise upon her. I suppose I have said enough to convey to the House my sentiments; and to expect of me minutely to detail all that passed in that conversation, would be, I think, an unreasonable expectation.

Did you advise Mrs. Clarke to go out of the kingdom with her children? I did not.

And that they should be provided for; did you make any promise to her? I made no promise to her whatever.

Did any body advise you to go to Mrs. Clarke? It was a suggestion of my own mind.

Had you been acquainted with Mrs. Clarke before? Very little.

How long had you been acquainted with her? precisely I cannot say; perhaps two months.

Where had you seen her before? at the Opera-house.

Had you seen her any where else but at the Opera-house? No.

Had you any conversation with her at the Opera-house? No.

Were you introduced to her there? I might be said to be introduced; it was rather casual; it was in the presence of persons known to us both.

How long ago was this? about two months ago.

Who were the persons present? Lord Lennox and Sir Robert Peate. I beg leave to add, that I had not been directed or instructed, or requested to address Mrs. Clarke, on this or any other subject, by any person whatever; and after mentioning the names of those two gentlemen, I think it very hard they should be implicated in this which has taken me by surprise.

What led you to come here this afternoon? I was extremely anxious to see Mrs. Clarke.

For what purpose? If I am positively bound to answer that question.

at the peril of imprisonment, of course it must be answered; to whom am I to address myself for an answer to that question?

[The Chairman informed the witness, that it was the pleasure of the Committee that the question should be answered.]

My reason was, to attempt, if I could, to persuade her from that ironical, sarcastic, witty animadversion that sometimes had fallen from her, with reference to the person that I before alluded to.

Was that the object with which you wrote this letter? That was one of the objects.

What other object had you; I will answer particularly afterwards; generally, I will say it was with a view that was by no means adverse to the person whose conduct is now under investigation; but just on the contrary; and therefore I am the more surprised at the harsh manner in which I have been treated.

State what your other object was in writing this letter to Mrs. Clarke? I thought that if I had an opportunity of seeing her before the appointment that I had to-morrow morning with an agent of his Royal Highness, that probably I might suggest to her something to prevent those things that did not serve to elucidate the investigation now going on, but to excite the inveteracy of those Personages to whom I before alluded.

Who is that agent? Mr. Lowten.

Who made the appointment with you? By agreement, I addressed Mr. Lowten first, and afterwards the appointment was made.

For what purpose did you address Mr. Lowten? For the purpose I have given to the House before.

Did you apply to Mr. Lowten by writing, or address him verbally? I had spoken to two or three Members of this House upon this subject.

Name them. Mr. Adam and Colonel Gordon; the other waived it entirely, I am unwilling to mention him; it is Colonel M'Mahon, if I am desired to mention him.

Did you apply to Mr. Lowten personally or by letter? I was desired by two of the gentlemen whom I have named; Colonel M'Mahon conceived of this very differently from what many Members of this House do: they thanked me for the communication; he does not conceive of any hostility to his Royal Highness in the communication, but just the contrary. If there is any thing culpable in my conduct, I am amenable to the censure of the House, and am willing to abide by it; but I do not know that gentleman acts decorously to me, in making me the subject of personal merriment and ridicule.

Was it by personal address or by writing you made the appointment with Mr. Lowten? I hesitated whether I should speak to Mr. Lowten or not, and when I spoke to Mr. Adam I declined it; but coming here with this letter, I met Mr. Lowten, within these two hours, and then I addressed him.

What did you say to Mr. Lowten? I knew Mr. Lowten officially, and no otherwise: I understand that he holds an office, indeed I have seen him in the exercise of his office in the Court of King's Bench.

What did you say to him? I told him that I had spoken to the gentlemen (I believe that was pretty near the commencement of my conversation with him) whom I have recently named, Mr. Adam and Colonel Gordon; and I told him also that they declined, and seemed

apprehensive; they seemed to think there was a delicacy and difficulty in it, which inclined them to have nothing to do with it; they advised me to communicate to him, and when I met him I took the liberty to address myself to him.

Did you tell Mr. Lowten the nature of the subject which you had to communicate to him? I said, (I did think I expressly guarded what I had to say with this observation) that I had no message from Mrs. Clarke, or any communication, directly or indirectly, to make from her.

What did you say you had to communicate to Mr. Lowten? I said I thought, as matter of opinion arising out of my own mind, that it was possible, I do not know how I expressed it, but I meant to convey to prevent her going into that irrelevant matter, and I believe, the observation I made was this, that it was impossible for any man in an unreserved communication of four years, not in some period of that length of time to have said and done those things which the House of Commons had very little to do with.

Was it upon that communication to Mr. Lowten, that he made an appointment with you to come to him to-morrow morning? I recollect no other.

What did you tell Mr. Lowten you had to say to him on the subject on which you were to speak to him to-morrow morning? I have told you this moment that was the subject I had to speak upon.

To prevent Mrs. Clarke going into irrelevant matter? Certainly, that was the main object.

How were you to prevent it by going to Mr. Lowten? Certainly this is a question I am not prepared exactly to answer; I am not sure that I could prevent it at all, and the means must arise out of the circumstances.

What did you mean to propose to Mr. Lowten as the means by which Mrs. Clarke's examination might be in any degree altered? I am sure I do not know exactly what I should have said to Mr. Lowten to-morrow morning, but what I should have said to him would have arisen out of the circumstances, and probably out of the communication I should have had with Mrs. Clarke to-night; and it was for that purpose that I expressed so anxious a wish to see her, as I conveyed in that letter that is laid upon the table.

What did you expect would arise between Mrs. Clarke and yourself to-night, which you expected would enable you to make a communication with effect to Mr. Lowten to-morrow? I do not know whether I may not be allowed to go a little into explanation, and not to answer sententiously and immediately, but in an intercourse and friendship of four years much might have passed that it would be proper to suppress.

What did you expect would arise between Mrs. Clarke and yourself to-night, which you expected would enable you to make a communication with effect to Mr. Lowten to-morrow? If it is intended by these questions that I should—it is impossible; I do not know how to answer the question, I have not the capacity, I do not understand it.

What did you expect would arise between Mrs. Clarke and yourself to-night, which you expected would enable you to make a communication with effect to Mr. Lowten to-morrow? I confess, standing here as I do, that if an enquiry of this sort was going on upon my own subject, there are many things already which have transpired

which I should be sorry should transpire, and which have nothing to do with a political question: that is the only way I can answer it.

How was it to affect the communication with Mr. Lowten to-morrow in consequence of your seeing Mrs. Clarke to-night? I did not certainly intend to interfere, or to prevent the inquiry, or to smother the inquiry, or to advise her to suppress any information that has reference to the investigation now going on before the House; but I did think, that if I could persuade her to avoid those sort of witticisms to which I alluded before, and those sort of observations—If the gentleman wish me to answer this question in such a way as to prove I have been guilty of a breach of the privilege of this House, I cannot do that; I know the deference due to this House, and am willing to treat it with proper deference. May I take the liberty to make one more observation on the law of evidence.

[The Chairman informed the Witness that he was not called to the bar to make observations, but to give evidence.]

Then may I take the liberty of asking, whether I am bound to give that sort of evidence that would criminate myself, and is not this leading to it?

Had you written the letter at the time you saw Mr. Lowten? No, I wrote the letter subsequently; it arose out of conversation I had with him. As a matter of humanity I address myself to the Chair, with reference to the Chancellor of the Exchequer, whether, as a lawyer, taken by surprise as I am, it is right to propose questions to me, that if they were answered would criminate me.

Do you refuse to answer these questions which are put to you, under the fear that they will criminate yourself? No, I do not, upon my honour.

[The Witness was taken from the Bar.]

WILLIAM ADAM, Esq. attending in his place, made the following statement.

Many persons have desired to see me, since the commencement of this business, who have not sent any name; and I have given orders, to let no body in, who did not send in their names. This gentleman called yesterday, about five o'clock I think, or a little after five: he sent in no name, but a gentleman wished to see me. I desired to have the name, and I thought the name given in, was Williamson; I had seen a gentleman of the name of Williamson, in the morning, a clergyman of Sheffield, in Bedfordshire, and I believed it to be the same person; I went into the hall to him, to the outer door; I found it to be a different person; and this gentleman who has just been at the bar, addressed me, and said he had something to communicate respecting this business that was proceeding in parliament; I said I could hear nothing from him; he seemed extremely anxious to state something; I stopped him, and told him if he had any facts or circumstances to state, Mr. Lowten was employed as his Royal Highness's solicitor, and he might go to him, and desire an appointment; he left the house; and that was all that passed.

JOHN McMAHON, a member of the house, attending in his place, made the following statement.

To my extreme astonishment, I found my name alluded to by the

lady who has just been examined at the bar ; I cannot tell for what possible purpose she has alluded to me ; I have nothing to offer to this committee that has the least relevance, or can throw the smallest light upon any subject whatever, that the honourable gentleman has brought before the consideration of this house. In consequence of an anonymous note that was written to his Royal Highness the Prince of Wales, promising very important communications, I did, at the command of the Prince, lightly as he treated the note, nevertheless call at No. 14, Bedford-Row, Russel-square, where the note was dated from. Upon going there, the woman who opened the door, and from whom I thought I saw much that told me she had put that note into the penny-post or the two-penny-post herself, I asked her the name of the lady of the house, that I wanted to see ; she desired me to tell my name ; I told her I could give her no name, but produced the note, which she immediately remembered to have put into the two-penny-post, and said it was written by her mistress. I was then conducted into the house, into a parlour, where certainly there were a great many of those morocco concerns, which she has mentioned before, for there were ten chairs I think set round the table, from the supper or the dinner the day before ; after remaining some time, I was conducted up stairs, where I saw the lady, whose name I was told to be Farquhar. The lady in perfect good humour came out and received me ; and I held the note I was possessed with, as my credentials for her communicating whatever she might think fit to tell a third person, not pressing her to any communication which she ought not to give to me. She told me, that she would communicate nothing to a third person ; I then told her that it was impossible that I could hold up any expectation of an interview with such a person as the one to whom that letter was addressed unless she gave me some clue, or some plausible pretence for it, and that I had no idle curiosity to gratify. She then entered into a conversation of so general and so extraordinary a nature, that I am confident this house would not for one moment entertain it, because the tendency and intention of it was to make bad blood between two illustrious brothers, whose affections could never be shaken by any such representation ; at least, I am confident that the illustrious person I have the pride and glory to serve and love, would be incapable. She then told me she would shew me letters to prove and to establish, that there was a hatred on one part to the other ; I declined seeing any letters ; she then said, I would commit those letters to you, for the perusal of the illustrious personage ; to which I, as my bounden duty and firm conviction, said, if they were lying at his feet, he would scorn to look at one of them. In this interview, at first, I stated that I thought she was a friend of Mrs. Clarke ; she said, certainly she knew Mrs. Clarke extremely intimately, that there was nobody she loved and regarded as she did Mrs. Clarke ; that she perfectly knew her. She then asked me if I knew Mrs. Clarke ; I said I do not, " Do you know her, Sir, by person ? " I said, I believed not. " Do you know her by character ? " Yes said I, her fame is very celebrated ; and I have heard of Mrs. Clarke, but know nothing of her myself. She asked me then what I knew ; I said, it certainly was not to her advantage ; but I had heard the Duke of York had been very generous to her, and that she had not been very grateful on her part ; but that was only from information I had received. She then proceeded to state, what I throw myself on the consideration of the House

as it might be the effect of passion, and appeared to be a disposition to gratify her revenge by representations that I do not think the House would, for a moment, permit me to expose, when it went to a tendency of making bad blood between two brothers. We then proceeded. I soon after said, "I am speaking to Mrs. Clarke herself." I thought so, from several things she told me, that I wish not to repeat: I said, "I ain confident I am addressing myself to Mrs. Clarke herself." She laughed, and said, "I am Mrs. Clarke." I then begged her a thousand pardons for the portrait I had drawn, but disclaimed being the painter. "I am sure you are not, for it was Adam and Greenwood that gave you my character." We then proceeded, till she made a statement, that I have no hesitation in declaring to this Committee did, in its statement, appear such as I could with honour and character entertain and listen to; that, under every compassionate feeling and sentiment, I felt no indisposition to listen to and entertain. She stated to me, that Mr. Adam had called upon her, and in a very firm, but steady manner, told her, that the Duke of York was determined to separate from her; but that if she retired into the country, and conducted herself with propriety and decorum, he would allow her 400*l.* a year; that she had accordingly so retired into Devonshire for several months, but failing to receive the remittances she expected, she had been driven to town for the purpose of gaining her arrear, and placing her annuity upon a more regular mode of payment; that if that condition was complied with, by the payment of her arrear, and of securing the punctuality of it to her in future, his Royal Highness should never hear any more about her. Upon the fairness of this statement, supposing it to be true, (I do not pretend to say what my opinion of it was) I said, if your statement, Mrs. Clarke, is correct and orthodox, I will certainly wait upon Mr. Adam, and state it to him, to know where the objection lies to the payment of your annuity. That was in the month of July last. Mr. Adam had gone, two days after I saw Mrs. Clarke, into Scotland, and had not returned when I came back to London in October, therefore I never saw him but at the persuasion of Mrs. Clarke, by a letter she wrote to me, she saying that his Royal Highness was prepared to hear what I had to say, as she had told it to him. I had the honour of waiting upon the Duke of York, and telling his Royal Highness exactly what she had stated, not pretending to vouch for its veracity in any shape whatever. His Royal Highness's immediate and prompt answer to me was, her conduct is so abominable, that I will hear nothing at all about her. Any thing I could possibly offer after what I have now said, would be superfluous; there is the conclusion, that is the epilogue of any thing I have to state; and as to any question thought proper by the honourable gentleman, or any circumstances he has cited or remarked upon, I am as ignorant as a man unborn.—With regard to the gentleman who has this moment been at your bar, I did receive a letter from him last night, which I have in my pocket, and will deliver, if it is the pleasure of the House, to which I certainly wrote him a civil answer: I said I was obliged to him for his attention, but that I had no interference in the question before the House, and that I never would directly nor indirectly have any interference with it.

[Colonel M' Mahon delivered in the letter, and it was read.]

"SIR,

"I have this moment left Mrs. Clarke, and I think there are party

of the conversation I have had with her, any confidential friend of the Duke of York's would be solicitous to know.

"If you are of that number, you perhaps would choose to see me; or, if not, refer me to some one immediately you think would.

"I hope you will not attribute the hasty manner of this confused address intentional want of decorum, for on the contrary, with the sincerest sentiments of gratitude, and very great respect,

"I am,

"Sir,

"Your most obliged,

"humble and obedient Servant,

WILLIAM WILLIAMS..

Richold's Hotel, near 4 o'clock,

Wednesday.

"I understood you was going to ride; I have therefore directed the porter, if possible, to find you.

"Colonel M'Mahon."

COLONEL GORDON was called in and examined by the Committee as follows:

Have you seen a man of the name of Williams? I have.

Did he say any thing to you upon the subject of this enquiry? I will state to the house exactly what he did say: About four o'clock this evening I was at the Chancellor of the Exchequer's on business, and on withdrawing, a servant of Mr. Perceval's told me that a gentleman was in such a room, and desired to see me. I was shewn into the room, and I there saw a person whom to my recollection I never saw before. He addressed me as follows: "Never having had the honour, Sir, of being introduced to Colonel Gordon, I am not certain that I am now speaking to him; are you Colonel Gordon?" I said, Sir, that is my name. He had said, Sir, I have been desirous of making a confidential communication to the Duke of York upon the business now before the house, and to that purpose I addressed a letter to Colonel M'Mahon yesterday. Colonel M'Mahon wrote me an answer (I think he said a civil answer) declining any interference whatever. I have addressed myself this morning to Mr. Adam, and he declined it also. Now, Sir, if you are of the same way of thinking as those gentlemen, it is needless for me to enter upon the business. I said I am entirely of that way of thinking, Sir. He said my object is to make a communication to the Duke of York, of a conversation I had with Mrs. Clarke (I think he said the day before yesterday or yesterday, I will not be quite certain about that) and I think it very desirable that the examination which she is to undergo this evening should be suppressed. I told him that I declined making any communication whatever, and that I was not in the habit of making any confidential communication to the Duke of York, but what arose out of my official situation, and my words were these: I recommend you, Sir, to go to Mr. Lowten, he will advise you, and advise you well. I then withdrew, for the purpose of going out of the room, and it occurred to me I might as well ask him his name, and I addressed him in these words: Pray, Sir, do me the favour to give me your name. He hesitated at that, and told me he had told it to Mr. Adam. I repeated my question, I beg, Sir, to ask your name; he said, Sir, my name then is Williams.

I think I am correct in what I say. He walked out of the room, and I thought it necessary to call Mr. Perceval, and told him word for word what I have now had the honour of repeating to the house.

[The witness was directed to withdraw.]

The Right Honourable CHARLES LONG, a member of the house, attending in his place, made the following statement :

I have been very anxious to say a word to the committee, in consequence of the manner in which my name has been mentioned by Mrs. Clarke, and have only been prevented doing so, in consequence of the interruption that has taken place in the examination. She stated that his Royal Highness the Duke of York had mentioned to her, that he had mentioned Mr. Dowler's name to me for an appointment in the commissariat, and that in consequence of that I had said it should be settled immediately. Upon that I have to state, that to the best of my recollection his Royal Highness never mentioned the name of Mr. Dowler to me upon any occasion whatever, nor do I recollect having heard his name, until I saw that gentleman at the bar of this house. The other point upon which my name was alluded to, it is hardly necessary, perhaps, I should explain; but I have only to say upon that, that Mrs. Clarke has stated, that his Royal Highness had also said that he had shewed a list of seventeen members of this house who would vote with Mr. Pitt in case this appointment took place; and that I was very much delighted with the list: if I had seen any such list, I dare say I should have been very much delighted with it, as it was represented that a number of gentlemen of that side of the house were likely to have voted upon that question with those with whom I generally act; but I have only to say, that neither upon that occasion, as connected with the appointment of Mr. Dowler, nor any other, did his Royal Highness ever shew me any such list.

In the year 1805, were any appointments made to the commissariat through you by his Royal Highness's recommendation? I remember particularly the recommendation of the Duke of York being made through me to Mr. Pitt, for the appointment of Mr. Manby to the commissariat early in the year 1805; his Royal Highness the Duke of York mentioned to me, that great disputes prevailed amongst several of the officers of the 10th regiment of the Light Dragoons, and that the paymaster, Mr. Manby, was very much involved in those disputes, he thought; that all the officers, I think he said, were a good deal to blame; as well as I recollect, and that he was quite sure that the animosity that subsisted would never be done away while Mr. Manby remained paymaster of that regiment; he said, that he did not think that any thing that had come to his knowledge impeached the integrity of Mr. Manby, but that he wished him to be removed to some other situation to which his talents were adapted. About the same period, an honourable member of this house, one of the members for the county of Surrey, who represented himself, I think, as a relation of Mr. Manby's, stated also his anxious wish to me, that some appointment might be found for Mr. Manby, and that he should quit the regiment. I mentioned, as I was desired, to Mr. Pitt, both what had been stated by his Royal Highness the Duke of York, and what had been stated also by the honourable member to whom I have alluded, Mr. Sumner; and in consequence of that, he was appointed an assistant commissary.

Did you, about that time, receive any other recommendation of the Duke of York's by the commissariat department? None whatever that I recollect.

Mrs. MARY ANN CLARKE was called in again, and examined by the Committee, as follows:

What first gave you the idea that it was possible to procure money by disposal of commissions in the army? By persons applying to me; and I found that his Royal Highness was very ready to oblige me when I asked him.

Do you recollect having desired Mr. Corri to burn any letters or papers that were in his possession? Yes, I do.

Was that desire expressed by letter or by word of mouth? By word of mouth.

When was that desire expressed? I cannot speak as to the time, but I believe some piece of work had happened publicly; I forget upon what occasion, whether it was about Lord Melville's trial, or what, something or another that way.

Do you recollect having made use of these expressions, that there would be a terrible noise about it, and the Duke would be very angry? It is very likely I did; I dare say I did.

What did you mean by those expressions, in case you did use them? That he would be very angry with me for being incautious.

You have stated, that you only received a thousand a year from the Duke of York; had you credit with the Duke's tradesmen? No.

You have stated, that you received money for procuring a commission for Mr. Dowler and a letter of service for Colonel French; was money paid to you before you made applications to the Duke upon either of these accounts? No.

Had you a promise of money? Yes.

When you made the application to the Duke, did you state to him that you had a promise of pecuniary reward? I stated the whole case of Mr. Dowler.

Do you recollect to have had any negotiation respecting other promotions, entirely disconnected with the military department? If you will point out what those things were, I will answer to it.

Had you any negotiation or money transactions respecting promotions in the church? I never received any; but a Doctor O'Meara applied to me; he wanted to be a bishop; he is very well known in Ireland.

Are you confident you never had any application or negotiation for any other preferment in the church, but this of Doctor O'Meara? Yes, lately.

State what those applications were. I hardly gave myself time to read them, as I have no interest now.

For what rank of promotion were those applications made? Something about a deanery or a bishoprick.

Through what channel were the persons applying led to believe you were to promote their wishes? I do not know; I believe still the Duke of York, they thought.

Those applications were since the connection between yourself and the Duke of York had ceased? Yes.

Could you state the name of any other great or illustrious person to

those persons to applying, of any agent applying on their behalf? No, certainly not.

Do you recollect the name of any person who applied for those church preferments? Is it wished the gentleman who wrote to me, or the gentleman who wanted the step in the church?

Both. Those are some of the letters that Colonel Wardle ran off with, that relate to them.

State the names of any persons who applied for those church preferments. The gentleman is determined to deny it; I have just been speaking to him now upon that subject.

What is his name? Donovan.

On whose behalf did Mr. Donovan apply to you? I do not know; he talks a great deal about Doctor Glasse, and a great many other doctors; but it was not for Doctor Glasse that the appointment was wished.

For whom was it that the appointment was wished? I cannot recollect the name; but it is in those letters that Colonel Wardle has, I think.

How do you know that Mr. Donovan means to deny this fact; of having made this application to you for church preferment? I do not know that he means to deny about the church preferment; but he means to deny it altogether; and I never did prefer any one to the church.

Did you ever receive a letter from Mr. Donovan, telling you to be very quick in your application to the Duke of York, or perhaps some other illustrious person would interfere with him, and get the preferment; and who was that illustrious person? I believe the person who takes almost all the patronage of the church of England, he alluded to, or who is entitled to it, as being the first female personage in England; but Colonel Wardle told me he would never bring that name forward or that letter.

Did you ever receive a letter from Mr. Donovan, telling you to be very quick in your application to the Duke of York, or perhaps some other illustrious person would interfere with him, and get the preferment? Yes, I received such a letter.

Did you ever communicate Dr. O'Meara's offer for a bishoprick to the Commander in Chief? Yes, I did, and all his documents.

What was the Commander in Chief's answer? That he had preached before his Majesty, and his Majesty did not like the O in his name. I never mentioned that till this moment, except to the Doctor himself.

Did Dr. O'Meara specify any particular sum; and what was that sum? I think that gentleman must be a friend of his, and he must know better than I do, and he may recollect perhaps.

Did Dr. O'Meara specify any particular sum? I forget, and I have burnt almost all my papers; I might recollect, but not at this moment.

Do you recollect at what time Dr. O'Meara made this application? In 1805, the very night that the Duke was going to Weymouth; he called upon me the moment the Duke had left the house, between twelve and one o'clock; I think he watched his Royal Highness out, as he had seen that his horses were waiting in Portman-square, and when he came in just as I was upon the stairs, and said it was a very good opportunity, for he was going to Weymouth immediately, and asked me to come down stairs again, and write him a letter of introduction to his Royal Highness, and I did so.

You have said you had no credit with the Duke's tradesmen; do you mean to say that the Duke did not pay any of your tradesmen's bills? I do not recollect that ever he did, except one to a milliner.

You have stated that the Duke of York had paid several sums of money in addition to the thousand a year, upon various occasions; do you still adhere to that statement? He paid 1300*l.* to the silversmith, to balance from what I had paid; I do not recollect any thing at present but that.

Did not the Duke of York pay several other considerable sums, besides the 1000*l.* a year, during your residence in Gloucester-place? He paid for one landau, and that is all I can recollect at all.

Are you positive that you can recollect no other sums being paid for you by his Royal Highness? I cannot recollect one except those.

What was the amount of your debts at the separation from his Royal Highness? Something under 2000*l.* I sent in to him the next day by Mr. Comrie; but I found them to be more upon examination.

Did you understand, when you were asked whether the Duke of York had paid any other sums besides the 1000*l.* a year, that the question applied to sums paid to tradesmen; if so, state now whether you received yourself any sums from the Duke of York besides the 1000*l.* a year? I do not recollect any.

For what period did you reside in Gloucester-place? I should think about two years and a half, or three years.

During the two years and a half or three years you lived at Gloucester-place and Weybridge, was the Duke of York well acquainted with the extent of your establishment? Certainly; never a day passed without his being there, except the time that he went to the King.

On whom was the Court Martial, on which you stated on a former evening that you had been a witness? On Captain Thompson.

[The witness was directed to withdraw.]

Mr. Whitbread said, he rose in consequence of the assertion of Mrs. Clarke in the beginning of the evening (that she had been insulted and abused in coming into the house of commons), to move that the serjeant at arms be ordered to attend the witnesses to and from the house of commons, to protect them from any insult or injury that might be offered to them in obeying the orders of that house. He said, whatever might be the character, the morals, or the line of life pursued by the witness who had been before the house, that there was a certain deference and respect due to the sex which should not be violated on any occasion, least of all on her entrance into that house.

Mr. Sheridan said, he felt it his duty to object to the motion of his honourable friend; for two reasons, first that he did not wish it should appear that it was necessary to make any such order; secondly, that on the most accurate inquiry into the business, he understood that no insult whatever had been offered the witness in the course of the evening.

Mr. Whitbread said, that if his right honourable friend would say that no insult had been offered the witness, he would not persist in his motion.

Mr. Sheridan said he could not be positive, not having been present on the occasion; that his knowledge was grounded on the strict inquiries which had been made.

JOHN CLEMENTSON, Esq. the Deputy Serjeant at Arms, was examined by the Committee, as follows :

State to the committee what you know relative to the coming of Mrs. Clarke to the House, and her passage from her carriage up to the door. I directed the messengers, when Mrs. Clarke was ordered to be called in, to go to her; it was sometime before they could find her; I directed them to go to the different coffee-houses, and at last learnt that she was waiting in her carriage close to the House of Commons. She sent me a message by a messenger, stating that she had been insulted, and she would not get out of her carriage till I came for her. Immediately I went down. When I got there, I saw seven or eight people or a dozen people, I do not think more; her carriage door was opened, and she was handed out, and not a word passed. I took a constable with me, and brought her up to the House. There was not a word said to her all the way I came with her here.

Was not there a considerable crowd in the passages leading to the House? Yes, there were several people, a great many servants, they were standing on one side; there was quite room enough for us to pass.

Did any of those persons insult her? Not a word passed, to my knowledge.

Who was the messenger whom you sent for her? His name is Skelton.

He was sent by you for Mrs. Clarke? Yes.

[The witness was directed to withdraw.

MISS MARY ANN TAYLOR was called in, and examined by the Committee as follows :

Were you in the habit of visiting in Gloucester-place, when Mrs. Clarke was under the protection of the Duke of York? Very frequently.

Did you ever hear the Duke of York speak to Mrs. Clarke respecting Colonel French and his levy? Once only.

Relate what passed at that time. The Duke's words were, as nearly as I can recollect, I am continually worried by Colonel French—he worries me continually about the levy business, and is always wanting something more in his own favour. Turning to Mrs. Clarke, I think he said, "How does he behave to you, Darling?" or some such kind words as he used to use; that was all that was said.

Do you recollect anything further passing than what you have stated? Mrs. Clarke replied, "middling, not very well." That was all that she said.

Was that the whole of the conversation? No.

Relate the rest. The Duke said, "Master French must mind what he is about or I shall cut up him and his levy too." That was the expression he used.

How long have you known Mrs. Clarke? Ten years.

Have you known her no longer than ten years? I do not exactly recollect, it may be something more.

Where did you first become acquainted with her? At a house at Bayswater, near the Gravel Pits.

Where do you live yourself? At Chelsea.

With whom did you live at Bayswater? With my parents.

What are your parents? My father was a gentleman.

Do you live with your father now? No.

Is your father living? Yes.

Is your mother living? Yes.

Do you live with your mother? No.

Are you married? No.

With whom do you live? My sister.

What is your sister's name? Sarah.

Is she a married woman or a single woman? Single.

Where do you live? Chelsea.

In lodgings, or as housekeepers? Housekeepers.

Are you of any profession? If a boarding-school be a profession:

In what part of Bayswater did Mrs. Clarke live when you knew her there? It is called Craven-place, within two doors of our house.

Who lived with her? Her husband, when I first knew her.

Have you known any one living with her since? His Royal Highness the Duke of York.

Have you known no man live with her but his Royal Highness, since her husband lived with her? Not to my knowledge.

Have you seen much of her; have you been intimately acquainted with her? Yes.

You are not related to her, are you? My brother is married to her sister.

Did you know her when she lived at Tavistock-place? Yes.

Did her husband live with her there? I never saw him there, I understood she lived with her mother there.

What time passed between her leaving her husband and her living with the Duke of York? I cannot recollect.

About how many years? I do not know that.

How long ago did you know her at Bayswater? Somewhat about ten years; I cannot say exactly.

Had not her husband left her before she left Bayswater? I do not know.

Do you mean to say, you do not know whether Mrs. Clarke's husband had left her before she left Bayswater? Yes.

What was her husband? I always understood he was a man of some fortune.

Do you not know that he had only an annuity of 50*l.* a year, which was paid him weekly? I never heard such a thing.

Did you ever see him with Mrs. Clarke, during the latter part of her stay at Bayswater? No.

During the latter part of the time Mrs. Clarke staid at Bayswater, you never saw her husband, Mr. Clarke, there? I do not recollect that I did.

Where did Mrs. Clarke go from Bayswater? I do not recollect.

Do you remember her in Park-lane? She called upon me one day, and said she was in Park-lane.

Were you in her house, at Tavistock-place, often? Yes.

Did you live with her there? I never lived with her, at all.

You never slept in the house? Yes, frequently.

Do you know that any one lived with her but her husband at that time? No.

You took her to be a modest, decent, woman, whilst she lived in Tavistock-place? She lived with her mother, as I thought, and I knew nothing to the contrary.

What is your father's name? The same name as mine.

Taylor? Yes.

What is his Christian name? Thomas.

Where does he live now? I had rather be excused answering.

[The witness was directed to withdraw.]

Lord Falkstone was of opinion that she ought not to be compelled, as there might possibly be circumstances attending the disclosure of this question, which might prove injurious to the witness's father, nor could he conceive that any material benefit would result to the present inquiry from the disclosure of this circumstance.

The Attorney General in reply observed, that he knew nothing of the witness; but sure he was, that much of the credit of the testimony of this evidence depended upon that degree of respectability which both the witness and her connections in society held. Would the noble lord or any member in the House deny, that the evidence of a prostitute, who might be picked up in a street, was to be equally relied upon with that of a person who supported a decent and respectable character? Nor was it immaterial to the present enquiry to know where the father and mother of the witness resided, as it was highly probable that the knowledge of this circumstance might tend to extract truth from the mine of error, with which it appeared to him to be involved.

After some remarks from Mr. Sheridan and Mr. Houston, on the propriety of putting this question, the witness was recalled, and the examination continued by the Attorney General.

[The witness was again called in, and the question proposed.]

I do not know.

Do you mean that your credit should rest upon the veracity of that answer, that you do not know where your father lives? I do not exactly understand the question.

[The witness was directed to withdraw.]

Mr. Brand said, that upon reflection, he trusted the right honourable gentleman (*Mr. Perceval*) would not

press the question, as it evidently went to wound the feelings of the witness.

Mr. Percival observed, that he could not help suspecting, that something would be disclosed by a direct answer to that question, that would greatly, if not wholly, discredit the testimony of the witness. It must appear a very extraordinary case, that neither of the sisters knew, or rather, would not tell, where the father was; and, therefore, he still adhered to his former opinion, that the question ought to be answered in a direct manner.

Mr. Wilberforce saw no good that could result from compelling the witness to answer the question in a direct form, as it was probable the fact could be ascertained by putting the question in another shape.

Mr. Yorke thought it utterly impossible to carry on the inquiry, unless such questions were pointedly answered; the truth could never be found out, and the obloquy under which the Duke of York had fallen, by a combination of some of the most abandoned characters, could not be as easily removed, if the witness was permitted to evade answering a question, which in his judgment was fair and reasonable.

Mr. Simeon did not see any reasonable objection to the answering of the question, and therefore trusted the Committee would not relax.

[The witness was again called in.]

Do you mean seriously upon reflection to abide by your answer, that you do not know where your father lives? Yes.

How long is it since you have seen him? About a fortnight.

Do you know where he was living when you saw him last? At Chelsea.

In what street at Chelsea? I beg leave to decline answering that question.

What reason have you for declining answering that question? I do not like to tell so large an assembly where I live.

Were you living with your father? Some time ago.

A fortnight ago were you living with your father? He did not live with me, he had just come from the country.

Was he living at Chelsea? He staid two or three days with me.

Where had he been living in the country before he came to you? He had been going about different parts? I do not know where.

Is he of any business? No.

What objection have you, who keep a boarding-school, to tell this house where you live, particularly? I have answered that just now.

Will you repeat it? I did not wish to inform so large an assembly of my residence.

What reason have you for wishing to conceal where you live from so

large an assembly? They will find I am poor, and doubt my veracity.

You may be assured your veracity will not be doubted on account of your poverty; state to the house where you live, and what street in Chelsea you live in. China Row.

What number? No. 8.

Do you keep a boarding-school in that place? I and my sister do. Was any body present besides yourself at the conversation which you allege to have passed between the Duke of York and Mrs. Clarke, respecting Colonel French? No.

Did you often see the Duke of York in company with Mrs. Clarke? Yes.

How often may you have seen him? I do not recollect; seldom three weeks passed that I did not.

How long have you kept a boarding-school? Two years.

At the same place? No.

Where before? At Kentish Town.

What part of Kentish Town; what street? It had no name.

Can you tell what number? No, it was neither a number, nor had the place a name; there were but two houses.

Did you keep that boarding-school under the name of Taylor? Yes.

Where did your father live at that time? I beg to be excused answering any questions concerning my father.

Where did your father live at that time? He lived with me during part of the time there.

How long have you lived at Chelsea? Last Michaelmas twelve-month.

How long had you lived at Kentish Town? Not above three quarters of a year.

While you were at Kentish Town, where did your father live, when he was not with you? I had rather not answer that question.

While you were at Kentish Town, where did your father live, when he was not with you? I must appeal to the indulgence of the Chairman.

[The Chairman informed the witness that there appeared no reasonable objection to her answering the question, and that therefore it was the pleasure of the Committee that she should answer it.]

I cannot recollect just now.

Why did you wish to be excused answering that question, when you only did not recollect where it was that your father lived? For that reason.

How long ago is it that you heard the conversation you have been speaking of, between his Royal Highness and Mrs. Clarke? I cannot say exactly.

As nearly as you can? During Mrs. Clarke's residence in Gloucester-place.

Where did you live then? We moved about that time; but I do not recollect whether that circumstance happened afterwards or before.

From what place to what place did you move? From Bayswater to Islington.

Did your father live with you at Bayswater, at the time you removed to Islington? Yes.

Did he live with you at Islington? Yes.

Where did you live at Islington? Dolby-terrace.

Do you recollect what number? No. 5.

What business did your father carry on then? None.

Has your father never carried on any business? No.

What business was Mr. Clarke? I never heard that he was of any business.

How long did you live at Islington? A little more than a year.

Was that before you went to Kentish Town? Immediately preceding it.

You lived at Kentish Town about three quarters of a year? Exactly.

Do you know Mr. Wardle? Yes.

How long have you known him? Not more than two or three months.

Have you known him two or three months? Yes.

At whose request do you attend here to-night? At the request of Mrs. Clarke.

Did you ever see Mr. Dowler at Mrs. Clarke's house at Gloucester-place? Yes.

Did you ever see Mr. Dowler in the same room with his Royal Highness the Duke of York and Mrs. Clarke? Never.

Were you ever told by Mrs. Clarke, that she had represented Mr. Dowler to the Duke of York as Mrs. Clarke's brother? Never.

Do you believe that your father's affairs are in a state of embarrassment? Yes.

Do you know Mr. Williams, a clergyman of Kentish Town? I never heard his name.

Have you always kept a boarding-school at your different residences? At Kentish Town and at Chelsea.

How many scholars have you now? About twelve.

How long did you reside at Kentish Town? Three-quarters of a year.

Did you remove immediately from Islington to Kentish Town? Yes.

How long did you reside at Islington? More than a twelvemonth.

How much more than a twelvemonth? Seven or eight months.

The conversation that you have stated you heard to take place between the Duke of York and Mrs. Clarke, you stated to have passed about the time you removed from Bayswater to Islington; is that correct? Yes, it must have been about that time.

Was it about that time? I cannot say exactly.

Upon recollection, can you recal to your mind any circumstances which will induce you to believe it was about that time? No.

Then, do you state that without any precise recollection upon the subject? Only by guess.

Do you recollect ever seeing Colonel French in Gloucester-place? I have heard him announced; but I cannot say that I was introduced to him.

What is the age of your youngest scholar? Seven.

[The witness was directed to withdraw.]

Mr. DANIEL SUTTON was called in, and examined by the Committee, as follows:

Do you recollect Mrs. Clarke being at Captain Thompson's Court Martial, at Colchester? I do.

State to the Committee what passed relative to her being put down a widow. In consequence of my having been directed to summon Mrs. Clarke to appear to give evidence before the Court Martial that was sitting, on charges preferred against Captain Thompson, I applied to Captain Thompson's solicitor, a Mr. Smithies, and desired he would send to me the christian as well as the surname and description of Mrs. Clarke. Mr. Smithies delivered to me the description upon paper; and, as near as I can recollect, her name was Mary Ann Clarke, of Loughton Lodge, in the County of Essex, widow. In consequence of the description so given to me, by Mr. Smithies, I entered it upon the minutes of the court, and administered the oath which I usually administered to witnesses, and then having read the charges to Mrs. Clarke, she then answered the questions which were put by Lieutenant Colonel Fane, who was the prosecutor; was afterwards examined upon questions submitted by Mr. Smithies, who was concerned for Captain Thompson, and then upon questions that were asked her by different Members of the Court. I have recollection, I think, of Mr. Smithies having communicated to me, she was not examined the first day she was summoned, in consequence of a witness, of the name of Maltby, who had been under examination for a considerable time. I think Mr. Smithies communicated to me some delicacy Mrs. Clarke had as to the appearance before the Court, and as to questions that might be put to her; and I told him, that she need not be under any apprehensions, for no improper questions should be put to her; if she answered the interrogatories of the Prosecutor, and the Court, she need be under no apprehension as to any disagreeable questions, which she seemed to apprehend might be put to her; and she subsequently answered every question that was put; and, upon that particular charge, Captain Thompson was, afterwards, honourably acquitted.

Did she herself state herself to be a widow, or was she asked, or did any conversation pass between yourself and her, upon that subject? I really am not quite sure; I saw Mrs. Clarke once or twice previous to her examination that day, in order to communicate to her that she must stop, and Mr. Smithies requested me to step to The Cups, where he was, to let him have the proceedings, to prepare Captain Thompson's defence; I rather think it was Mr. Smithies, for I perfectly remember, which is usual where the Assistant-Adjutant-General of the district does not deliver me the list of the witnesses, but where they come from the Solicitor of the party, that he will deliver to me the name and description, and I rather think it was in consequence of what he said to me.

You do not recollect asking her the question whether she was a widow or nor? Upon my word I do not recollect whether I did.

You do not recollect any conversation that passed, relative to her situation; her wishing to avoid publicity? I do not recollect the particulars, but I do recollect, either before or after the time Mr. Smithies asked me to step down to the Inn, with the papers, that she said she was in a very delicate situation, and alluded to her situation; I do

not recollect that she mentioned the particular person under whose protection she was, but she alluded to it, and I understood, from general report, what she meant.

Was she particularly described as a widow, or did she answer to the interrogatory whether she was or was not a widow? She answered to no interrogatory upon that subject, it is not the practice for witnesses at Courts Martial to answer to such interrogatories, unless they are specifically put; the name and description is put down, and then the charges read; then the oath is administered, and then the question put.

Do you recollect any evidence that came forward at that Court Martial, relative to a bill of exchange? Yes I do, Mrs. Clarke was examined, and gave evidence upon two bills of exchange.

Relate the circumstances of her testimony so far as you recollect. I have the original minutes which I took at that Court Martial, in my pocket.

Refer to that part of the evidence which refers to the bill of exchange, signed Elizabeth Mackenzie Farquhar.—“Mary Ann Clarke, of Loughton Lodge, in the County of Essex, widow, a witness, produced by the prosecutor, being duly sworn, was examined.”

Was that read to her? No, I believe it was not read to her.

[The Witness read the following extract from the Minutes.—“Q. Look at this bill; is the body of it, and signature your hand-writing?—The witness was then shewn the bill of the 1st May 1807, and then deposed. A. Yes, it is; but it purports to be the hand of my mother; she was present when it was written. I am frequently in the habit of guiding her hand when she writes, or takes any thing in her hand, in consequence of her being very infirm, and very nervous.—Q. Look at this bill; is the body of it, and signature your hand-writing?—The witness was then shewn a bill of the 15th July, 1807. A. It is.—Q. Look at both the bills, and state to the Court, whether the acceptance of both is the hand-writing of Mr. Russel Manners. A. Yes, in the presence of myself, and my mother.—Q. Did you or your mother give these draughts to Captain Thompson? A. My mother the first, and myself, I believe, the last.—Was Captain Thompson aware that you signed the name of Elizabeth Mackenzie Farquhar to these drafts, when they were given to him? A. Never.—Q. Did he not know your hand-writing from your mother's? I do not think he does, when I direct her hand.—Q. Was Mr. Russel Manners indebted to you in a sufficient sum to authorize you to draw upon him for the sum of one hundred pounds? A. He was.—Q. State to the Court the reason why you did not indorse the bill dated the 20th of May, 1807. A. I had no reason; I was not aware of the circumstance that I had not indorsed it; it never was returned to me to be indorsed.—Q. Do you recollect the date of the bill, dated the 15th July, 1807, being altered? A. No, I do not.—Q. When those bills were given to Captain Thompson, had you any doubt but that Mr. Russel

Manners would pay them when they respectively should become due? A. Not the least.—Q. Had you ever, before these bills were drawn, drawn bills upon Mr. Russel Manners; and if you had, were such bills paid when due? A. I never did, I have more bills of Mr. Manners's, but I have never made use of them, finding that those bills were not duly honoured.—Q. Had you any good reason to believe, that Messrs. Maltby would pay the bills when they became due; and if you had, state to the Court what were the reasons on which your belief was founded? A. I certainly thought that Mr. Rowland Maltby would pay them, because I knew that he had at different times paid some thousands for Mr. Manners; besides which, Mr. Maltby knew I had assisted Mr. Manners with money, and therefore I thought he would take care of those bills before others.—Q. Had you any personal communication with Mr. Rowland Maltby respecting the bills in question, previous to the last week? A. Never.—Q. Have you had any personal communication with him respecting them, within the last week, and if you have, state to the Court the substance of it. A. On Thursday last I went, accompanied by my mother, to Mr. Rowland Maltby's, and he told me that he was coming.”]

Does it appear upon the minutes of that Court Martial, from the testimony of Mrs. Clarke, that she put the pen into her mother's hand, and with that wrote her name upon a bill of exchange? That is in the answer to the first question that was put to Mrs. Clarke.

During the proceedings of that Court Martial, were any private questions put, in your presence, to Mrs. Clarke out of Court, respecting her being a widow, which were afterwards entered upon the minutes? I do not recollect any; I had conversation, as I mentioned before, with Mr. Smithies, and I believe, with Mrs. Clarke, I am not exactly sure, but I cannot recollect the whole of that conversation; it was relative to her delicacy with respect to her being examined, and her fear that unpleasant questions might be put to her generally; I have no recollection of any as to her being a widow; I desired Mr. Smithies, understanding that Captain Thompson was brother to Mrs. Clarke, that he would give me her description, and he gave it upon paper.

[The Witness was directed to withdraw.

MR. THOMAS PARKER was called in, and examined by the Committee as follows:

Refer to your book as to the date of any payment that was made by Mrs. Clarke in the year 1804; 500*l.* on account of a service of plate. I know nothing of the subject at all; I was only left executor to Mr. Birkett; I have a book here, in which there is some account, which I looked at to-day, which I did not know of before.

Produce the book.

[The Witness fetched the book, in which appeared the following account:]

MRS. CLARKE, Dr.

PER CONTRA C.R.

1804.	£.	s.	d.	1804.	£.	s.	d.
16 May.				18 May.			
The whole of the above-mentioned articles for - - -	1,363	14	10	By cash on account.	500	0	0
An elegant rich chased Silver Epergne, 153. 16. with 4 branches, and rich cut glasses to ditto, 100 - - -	139	13	0	12 July.			
Very large oval silver tea-tray, 183. 8. - - -	84	0	0	By a bill at 2 months.	200	0	0
An elegant rich chased silver tea-pot, square ivory handle, 22oz. - - -	16	16	0	Nov. 14.			
Twelve gadrooned silver soup-plates, to correspond with the others, 242. 1. 93. 14. - - -	105	0	0	By a bill at 4 months	200	0	0
15 June.				By a bill at 6 months.	200	0	0
Two large silver gadrooned waiters, 129. 9a9. 49. 11. - - -	58	3	0	By a bill at 8 months.	200	0	0
Putting on silver plates for arms, and polishing the above.	16	5	6	By a bill at 10 months.	200	0	0
Engraving arms, and crests on the above.	21	6	0	By a bill at 12 months.	200	0	0
Silver tankard - - -	15	15	0	By cash, a draft on Coutts and Co. 23 July - - - - -	121	0	0
Pair sugar-tongs - - -	0	18	0	Abated - - - - -	0	11	4
£.1,821 11 4				£.1,821 11 4			

Do you know any thing more of that book ; or do you know as to any of the payments, by whom they were made ; or what those bills were, or upon whom drawn ? I do not know any thing more of it ; there is another little account in this book ; here is nothing here which states at all what bills they were. I did not know any thing of it till to-day ; I was not sure whether the summons was intended for me or not, for my name was not inserted, nor where Mr. Birkett lived ; it was inserted Princes-street, Hanover-square ; I never knew him live there. I came down, it being left at my house.

Do you know who the late Mr. Birkett's bankers were? Yes, Marsh and Company, in Berner-street.

Have you any other memorandum in that book? Here is some other account of goods, watches and some other silver goods, and various other articles, which amount to 286/. 9s. besides the other account.

[The Witness was directed to withdraw.

HARVEY CHRISTIAN COMBE, Esq. a Member of the House, attending in his place, was examined, as follows :

Will you mention the circumstance of your seeing Mr. Dowler shortly after he had received his commission in the Commissariat? I was riding through the street, and I met Mr. Dowler by accident, I had heard before with great pleasure that he had got an appointment in the Commissariat; I was not unacquainted with the reverse of fortune he had sustained at the Stock Exchange, and I was rejoiced to hear that he had an employment that would yield him a comfortable maintenance; I stopt him to give him my congratulations, and having heard that he had got this by the request of Mrs. Clarke, I asked him whether he had obtained it by the interest of Mrs. Clarke or Mr. Brooke Watson; his reply to me was "O by Mr. Watson's."

From your knowledge of Mr. Dowler, do you believe him to be a man of integrity? Perfectly so, I would have recommended him to any situation he was a candidate for.

From whom had you heard that he obtained the appointment from Mrs. Clarke? I know a great many persons who are equally acquainted with the Dowlers, from various persons I heard it, but I cannot recollect one individual.

Did you know of your own knowledge that there has been any connection between Mr. Dowler and Mrs. Clarke? I did not.

Cannot you recollect one person among many individuals from whom you heard it? It is a great many years ago, if I were compelled to say who, I should select my own son.

Do you not from your own knowledge know that Mr. Dowler's father adopted a line of politics in the city directly opposite to that of Sir Brook Watson? I know that Mr. Dowler's father in the city of London adopted the Whig principles, but whether he was a member of the Whig club I do not know, nor do I now know exactly what Mr. Brook Watson's political principles were.

Mr. JEREMIAH DONOVAN was called in, and examined by the committee as follows :

Do you know Mrs. Clarke? I do.

Do you recollect at any time furnishing her with a list of names of persons for whom she was to obtain from the Duke of York, military or other promotion? Never.

Have you not been in the habit of trafficking in places under government? I never have trafficked for any places under government in my life.

In no situations for India? From government.

Appointments from government? Never.

Or from the East-India Company, appointments that must come under the cognizance of the Board of Controul? I will be obliged to the gentleman if he will inform me what appointments those are.

Have you ever offered a situation in India for a sum of money to a Mr. O'Hara? I have.

What was the nature of that situation? A Writership.

What was Mr. O'Hara to have given you for that situation? Three thousand some odd pounds, but I cannot say exactly.

When was this? I believe the last year, but I do not exactly recollect.

How did that negotiation break off? It broke off in consequence of Mr. O'Hara's brother not depositing the money at the banker's which was nominated by the gentleman who had the disposal of the appointment, or who informed me that he had the disposal of the appointment.

Did not Mr. O'Hara offer to deposit the money in his own banker's hands, and did you not object to that, and wish it to be deposited in your banker's hands, in Henrietta Street, Covent Garden? The money, Mr. O'Hara informed me, was deposited in a banker's hands in the city, I believe it was Curtis and Roberts; the person who had the disposal of the appointment would not consent to its remaining there, but wished it should be deposited at Messrs. Austen and Maunde's, in Covent Garden, and in consequence of that the negotiation ceased. I did it at the request of a lady from Dublin, who sent a letter to me, saying that she wished I could obtain for a Mr. O'Hara, whose father was her particular friend, a Writership to India; I applied to a gentleman, and he told me he could obtain that appointment, and the negotiation broke off in consequence of their not depositing the money at the house of Austen and Maunde.

What person authorized you to negotiate this appointment in the East India Company's service?

Am I obliged to expose the name of the lady? If I am I certainly shall.

Was the lady the purchaser, or was it through the lady you went to obtain the appointment of some director? The lady wrote to me, requesting I would make inquiry, in order to procure the writership for this gentleman; in consequence of this I did make the inquiry, but do not know any director's name concerned in the business.

Of whom did you expect to receive this patronage? I was recommended by Messrs. Austen and Maunde, to a gentleman who promised to procure the patronage.

Name the gentleman. Mr. Tahourdin, an Attorney of Argyle Street.

Do you know from Mr. Tahourdin's connections, from whom he was to obtain it at the India House; I do not.

Cannot you guess or surmise? I cannot.

Upon what grounds did you desire the three thousand and odd pounds to be lodged? It was to have been lodged to be paid to Mr. Tahourdin, on the young gentleman passing as a writer to India.

Did Mr. Tahourdin ever give you reason to believe that he had the promise of that nomination? If he had not, I certainly should not have requested the young gentleman to have lodged the money at the banker's.

Did you introduce a clergyman of the name of O'Meara to Mrs. Clarke? I have not the pleasure to know a clergyman of that name.

Did you ever apply to Mrs. Clarke for the promotion of any person in the church? In the month of November or December last, Mrs. Clarke informed me that she had very great influence; I heard of a vacancy in the church, and I did apply for it for a friend of mine.

What was that vacancy? A deanery.

What deanery? I believe Salisbury.

Did you apply only for that deanery, or any other deanery? For either the deanery of Salisbury or Hereford.

This was either in November or December last? It was.

Being so intimate with Mrs. Clarke, of course you were apprized that at that time all connection had ceased between Mrs. Clarke and his Royal Highness the Duke of York? I understood that his Royal Highness and Mrs. Clarke had had no connection for three years previous to that; it was not through the Duke of York's interest it was understood it could be obtained.

Through whose interest was it understood that this was to be obtained, through the influence of Mrs. Clarke? Mrs. Clarke informed me she had very good interest with the Duke of Portland, and that she could obtain any appointment.

Can you inform the committee what was to be the recompence, supposing the deanery had been obtained? I cannot; I believe that is was 3000*l.* that was offered for one of them by a subscription; I did it to oblige a friend; there was a subscription to have been entered into by some ladies, they did subscribe upwards of 3000*l.* as I was instructed, it was for the Reverend Mr. Bazely, I think that was the name of the gentleman; he was to have been agreeably surprized with a promotion, providing it had been carried into effect, but he was on no account to know it. Mrs. Clarke answered, that the Duke of Portland had no interest in the church, the queen having taken the patronage to herself.

Have you had any correspondence with Mrs. Clarke since the commencement of the present examination? I have received one letter from Mrs. Clarke since the commencement of this examination, or on the day, it was on Wednesday week I think; I have received two letters from Mrs. Clarke since the motion of Mr. Wardle, the one on the Saturday subsequent to the Friday night on which the motion was made, the other on the Wednesday, on which day I believe the honourable house went into the examination.

Did you at any time give any credit to the idea of Mrs. Clarke having any degree of influence with the Duke of Portland? I certainly did give credit to it in the first instance.

Did you believe that Mrs. Clarke had such influence with the Duke of Portland as she had exercised with the Duke of York on other applications? She never did make any application to the Duke of York for me in her life.

Were not you privy to the whole transaction of Colonel French? Nor never heard any thing of it, till the levy was about to be raised, till Colonel French called upon me to inform me that he was raising recruits for that levy, and asked me whether I could recommend him any old serjeants, that he could employ upon that duty.

Did Mrs. Clarke give any reason to you for the assertion she had made respecting her belief, as to any person's power of disposing of the patronage of the church? Mrs. Clarke informed me that the Duke of Portland had not the patronage of the church, but there were other appointments that she had mentioned to me, that caused me to suppose that the Duke of Portland had the appointments in the church to dispose of.

Have you received two or three letters from Mrs. Clarke within this last month? I have received letters from Mrs. Clarke, many during the months of November, December, and January.

Have you the letters which you state yourself to have received from Mrs. Clarke, since Mr. Wardle's notice on the present investigation? I have two letters, and the reason I brought them was in hopes that Mr. Wardle would do me the honour to read the letters of mine which it was mentioned he had in his possession from Mrs. Clarke. I am perfectly willing to meet every charge that can criminate myself, but I should be sorry to involve any person that is innocent. I believe Mr. Wardle made his motion on the 27th of January.

[The witness delivered in two letters, which were read, dated the 28th of January, and the 1st of February, 1809.]

"DEAR SIR,

"I am much mortified in seeing, in this day's paper, the free use of your name and mine in the debate last night. I however took an opportunity of seeing Mr. Wardle on the subject, and I find he is by no means so ill disposed as his speech seemed to evince; but he tells me that as I have committed myself and my papers, he is determined to make every possible use of them, that to him seems proper. I must be candid, and tell you, that in order to facilitate some negotiations, I had given him a few of your letters. In one you speak of the Queen, in another the two deaneries. As to myself, I must of course speak the truth, as I shall be put on oath; let me persuade you, if called on, to keep to the truth, as I am convinced you will; but I mean the *whole truth*, as to what has passed formerly between yourself and me. I have a thousand thanks for your being so quiet upon the 130; you shall have it the moment my mother comes from Bath. I fear, if you are backward, Wardle will expose the whole of the letters he has to the House.

"Your's truly,

"*Saturday Evening.*

"M. A. CLARKE.

"In order to relieve your mind, I send my servant, though late."

Indorsed:

*Received 28th January, 1809,
late at night.*

"*Wednesday Morning, Feb. 1st, 1809.*

"DEAR SIR,

"I yesterday saw Mr. Wardle; he had a letter yesterday from your friend Glasse, begging him not to take any business in hand, where his name is mentioned; and he asks for you also. He was tutor to Wardle. Now Mr. Wardle assures me, by every thing honourable, that if you speak candidly and fairly to the fact of Tonyns, he will ask nothing more; and if he has been at all intemperate with your name, he will do it every justice. *Take my advice and do it*; it cannot injure you. I understand your friend Tuck, some months ago put a friend of his in possession of Tonyn's business; and yesterday a man of the name of Finnerty gave him a case, which, he says, he had from you, of a Captain Trotter and another. Of course you will not mention my telling you this. I wish from my soul Mr. Wardle had taken it up less dispassionately, he might have done more good. Why do you not send me a line? I dare say Clavering is bugging himself, as he did not send the recommendation.

"Your's, &c.

"M. A. C."

"What rank have you in the army? Lieutenant.

How long have you been in the army? I went into the army in the year, 1778.

In what regiment have you been? In the Queen's Rangers.

Are you now in the Queen's Rangers? I entered into the army in the year 1778 in the Queen's Rangers: in consequence of my services in the Queen's Rangers I was recommended into the regiment called the North Carolina Volunteers, then under Colonel Hamilton; the honourable Major Cochrane, then Major to the British Legion commanded by Lieutenant-colonel Tarleton now General Tarleton, induced me to resign my company in the North Carolina Regiment and to accept a Lieutenantcy in the British Legion under the command of Lieutenant-Colonel Tarleton, which I imprudently did under the promise of the first troop or company that should become vacant in that regiment. I served in that regiment during the remainder of the war, from the year 1780 till the reduction of the regiment in October 1783; I brought home a detachment of that regiment, and was placed upon half-pay; in consequence of my wound being very bad it was impossible for me to accept a commission upon full pay, many of which had been offered to me by Colonels of different regiments in consequence of those wounds I have suffered; I am sorry to say that my surgeon, who did attend, is gone, or he could explain my present suffering, but I have suffered more than is conceivable for any person who looks well in health as I do; being lusty I have not been able to take off my clothes or lie down for the last five years; about six years from this period I was confined sixteen weeks under the care of Mr. Everard Hume, Mr. McGregor of the Military Asylum, and Mr. Rivers of Spring Gardens. Mr. Astley Cooper also attended me, and I am now obliged to employ a surgeon, that is Mr. Carpue, either he or his assistant dresses my wound daily: in consequence of the recommendations of the honourable the late Marquis Cornwallis and Lord Moira I was placed in a Veteran Battalion as a compensation in some degree for my expenses as well as my sufferings from this wound, and through the same interest I obtained leave of absence till further orders; there are many other officers under similar circumstances in the army, it being the only means by which his Royal Highness the Commander in Chief can remunerate their services, at least that was the answer given by the Adjutant-General to Lieutenant-colonel Christie of the 11th Veteran Battalion (on the strength of which I at present draw my pay) when he he applied last year to have me removed upon the retired list: with respect to my provincial services, I presume they go for nothing; I served fifteen months in a Fencible Regiment at home as Lieutenant and Surgeon; I served three years in the Militia as Lieutenant and Surgeon, and I served three years as a surgeon in an armed vessel appointed by the Treasury, and I trust it will not be thought too much that I draw the pay of a Lieutenant.

You have stated that you never sent in any names to Mrs. Clarke, either for promotion or for commissions in the army? Not till November or December last did I ever apply to Mrs. Clarke for any commissions in the army, either directly or indirectly.

Do you recollect what commissions you applied for then to Mrs. Clarke? I do not; there were some companies, but for whom I do not recollect.

Do you recollect what you asked Mrs. Clarke to do respecting those companies? I perfectly recollect that Mrs. Clarke informed me that

she had interest with a great many gentlemen, honourable members of this House; that she had also great connections amongst general officers, and that she could procure letters of recommendation which might accelerate any applications that were lying before the Duke of York for purchases of commissions.

Did you send any letters of recommendation from the commanding officers of regiments in favour of officers for promotions to Mrs. Clarke? I sent three letters, I think, from three different field officers, recommending gentlemen for purchase from lieutenantancies to companies. Those gentlemen had been recommended, if I mistake not, about twelve months, but their recommendations had not been attended to, to accelerate which it was thought advisable to procure the recommendations I have already stated, and Mrs. Clarke informing me she could do it, I placed these recommendations in her hands for that purpose.

Inform the committee how you got possession of those letters yourself. I will; I got possession of those letters from Mr. Froome, under the following circumstances: Mr. Froome called upon me, and informed me that he was about to resume his station or to be appointed a clerk in the house of Mr. Greenwood, upon condition that he should make oath or give security, one or the other, that he would never do any thing in the commission line as a broker in future; that if I could do any thing with those three appointments which had hung so long, I should serve very deserving young men, and should be remunerated for my trouble: that is the fact, however it may criminate me.

State what the remuneration was to have been upon each of those commissions? It was above 300*l.*; but how much I cannot say.

Do you mean to state that above 300*l.* were to have been paid above the regulation price for carrying the point? Certainly, on each commission.

Do you know of your own knowledge, through what means that 300*l.* upon each was procured? I do not.

Only you mean to state that the officer purchasing was to have paid 300*l.* above the regulation? I mean to state that both of those officers purchasing, on being gazetted, was to make the compliment of 300*l.*

And it was Mr. Froome who put the three commissions into your hands? Yes, he did, under the circumstances I have already related.

Had you ever any conversation with any body but Mr. Froome respecting these commissions? I had conversations of course with Mrs. Clarke; I had conversations with Mr. Glasse.

Who is Mr. Glasse? The Reverend George Henry Glasse.

Had you never a conversation with any other person respecting those appointments? I do not recollect that I had any conversation with any person, save and except Mr. Glasse, Mrs. Clarke, and Mr. Froome; I do not recollect any other person.

Do you recollect any other transactions of that nature coming under your knowledge? There was a majority I think, of two, under similar circumstances.

Do you recollect what sum above the regulation was to have been paid on the majority? I do not.

Do you recollect any other commissions that fell under the same circumstances? I do not recollect any other commission but the two majorities, and those three companies.

Did those majorities come from Mr. Froome also? They did.

Did not Mr. Froome at that time tell you what remuneration was to be given? It is very possible that he might, but I do not recollect the remuneration.

Do you know what your share of the profit was to be? I do not.

What part of the transaction were you to act? He was to procure the letters from Mrs. Clarke; to attach them to those recommendations and memorials, and to put them into the box at the Horse-Guards, and to let them take their chance; and if they succeeded, then we were to be remunerated.

Therefore, the part Mrs. Clarke was to have acted, was either to have got the recommendation backed by a member of parliament, or some other person likely to give strength to such recommendation? That was the part.

What was she to have had for that part? She was to have had, I believe, upon each of the majorities 500*l.* as nearly as I can recollect.

What was she to have had for the companies? I forget exactly; but it was either a hundred, or more than a hundred.

Do you know Captain Tuck? I do.

Do you recollect in the year 1804 or 1805, offering Captain Tuck a majority at a very low price? I remember that in the year 1804 or 1805, Messrs. Austen and Maunde told me, that they expected to be appointed agents to a regiment that was to be raised by a Colonel Dillon; that commissions were to be obtained in that regiment, or some other, and that there were many other levies to be raised; and that the prices in that regiment were to be, for an ensigncy so much; for a lieutenantcy so much; a company so much; and I believe that was the whole of the steps. The colonel had the appointments; where they were either to raise so many men for their commissions, or pay a certain sum of money to the colonel. I met Captain Tuck either in parliament-street or Whitehall; he had been employed by the honourable Colonel Hanger to raise a levy, and by that had obtained the rank of Captain, and was then upon half-pay. I told him, if he wished to get the step of majority, I thought if he would raise the men, or pay a sum of money, he might get a majority. I never thought any more of it till I met Captain Tuck in the room this evening.

Do you not recollect naming any other person as a party in this transaction, respecting the commissions that were sent in to Mrs. Clarke? I do not recollect, but there may be some other persons; I do not conceive any other persons could have been mentioned.

Will you name any other person that you can recollect? I do not recollect any other persons, or I would name them.

Did you mention the name of Mr. Greenwood? I never mentioned the name of Mr. Greenwood in the transaction at all, further than Mr. Froome was obliged either to make an affidavit, or give security to Mr. Greenwood, that he would not act as a broker in future, or he would loose his situation.

Who is Dr. Glasse, or Mr. Glasse, whom you have mentioned in the course of your examination, and who is mentioned in one of the letters? The Reverend George Henry Glasse, of Hapwell.

How long have you known Mr. Glasse? I have known him for some years, but cannot exactly say how long.

Has Mr. Glasse ever made any application to you relative to church, or other preferment. Never in my life.

Or you to him? I have not; I, of my own accord, very imprudently promised to Mrs. Clarke, that if she could procure the deanery of Hereford for Mr. Glasse, I should be extremely happy that she should do so; but I never told Mr. Glasse of it till I think last Saturday was se'nnight, or Monday was se'nnight, and then Mr. Glasse was exceedingly enraged that I should have taken the liberty with his name.

What induced you to make that application? The very great friendship I had for Mr. Glasse, and not conceiving that I was doing that which was improper at the time, or I would not have done it.

Did you offer a thousand pounds? I did.

And did it without Mr. Glasse's knowledge? Yes, without his knowledge, upon my sacred honour, and he never knew of it until the other day.

You have stated, that you would not have made this offer if you had been aware that the transaction had been improper; did you conceive the other transactions which you have stated to the Committee you had a hand in, to be proper transactions? I knew that these transactions pass daily, and therefore, I thought that there was nothing so very heinous in the crime; but I certainly did not conceive it altogether proper.

How did you know such transactions pass daily? I had heard that such transactions passed.

Do you know, of your own knowledge, that such transactions pass daily? I never was concerned in any transaction of the kind, save and except the business of Captain Tonyn, which I should be happy to explain; I believe I had also the introduction of Major Shaw.

Do you recall to your mind the recollection of any other transactions of this kind? I do not.

You stated, at the commencement of your examination, that you were not a trafficker in places under government; do you abide by that statement now? If you will permit me to explain the business of Captain Tonyn, I shall be obliged; but further than those I have mentioned, I have never trafficked in any places under government; if I had I would not deny it.

Have any of those other negotiations you have mentioned to the Committee, been carried into effect? Not one through me.

Do you know whether those negotiations about the companies and the majorities were carried into effect or not? Not one of them.

Were you to receive any remuneration, supposing the negotiation had been effected? Certainly.

Do you not call that trafficking in places under government? I will leave it for you, gentlemen, to decide; I did not consider it so.

Are those the only transactions of the kind, in which you ever in your life have been concerned? I believe they are.

Be sure whether they are not? I cannot be sure, because I do not recollect any other; if I did, or you will do me the favour to point out any others, I will not deny them.

How long have you known Mrs. Clarke? I knew Mrs. Clarke, I believe, in the year 1805.

Have you kept up your acquaintance with Mrs. Clarke from that time to the present day? I had not seen Mrs. Clarke till November last, for nearly three years; more than two years however.

You had not seen Mrs. Clarke till November last, since her separation from the Duke of York? Yes.

Were you in the habit of seeing her when she was connected with the Duke of York? I saw her, I believe, two or three times, and that only when she was connected with the Duke of York, or at least when she lived in Gloucester-place.

Did you only see her two or three times in the course of your lifetime before the month of November last? I presume, in the course of my lifetime, I may have seen her half a dozen times before November last, for she lived in Burlington-street, at a Mr. Russel Manner's, and I saw her there twice.

At what period was that? That I suppose must have been in the year 1806, or the latter end of 1805; it was after she was separated from the Duke of York, or left Gloucester-place.

How did your acquaintance with Mrs. Clarke begin? My acquaintance with Mrs. Clarke commenced in consequence of a report which had been circulated that I was the author of some scurrilous paragraphs reflecting on his Royal Highness the Duke of York; I traced it to Captain Sutton, an acquaintance of Mrs. Clarke's; I endeavoured to trace them out, but in vain. I requested that I might be introduced to Mrs. Clarke to vindicate myself; I never had written a paragraph against any one of the Royal Family in my life, and that was what introduced me to Mrs. Clarke's acquaintance.

You have stated that while Mrs. Clarke resided in Gloucester-place, you saw her three or four times; did you call upon her in Gloucester-place? I called upon her three or four times, it was at the house I saw her.

Did you go of your own accord? I went of my own accord, having obtained permission to see her; I was three or four months before I could obtain permission to see her; so strong was the impression against me as being the author of those paragraphs, that Mrs. Clarke would not see me, nor hear my name.

How often did you see Mrs. Clarke when you called at Gloucester-place? I believe three different times.

When you saw Mrs. Clarke, did you go of your own accord, or did she desire you to come? She never desired me to come that I know of, further than one particular period, which was in order to inquire the description of Captain Tonn.

When you went of your own accord, with what view did you go? In order to do away the report that I had been the author of these paragraphs against his Royal Highness the Duke of York.

All the times that you went, you went with that view? Twice only, I believe; I never was at Mrs. Clarke's above three times in my life in Gloucester-place.

You have stated that you called there frequently before you could see Mrs. Clarke, and that you then called three different times, and saw Mrs. Clarke? I did not mention that I had called often at Mrs. Clarke's, and have not seen her.

Did you do away the impressions entertained against you at your first interview with Mrs. Clarke? Not altogether.

How many interviews were necessary to do away entirely those impressions? Two.

Did you entirely do away those impressions in two interviews? I believe I did.

With what view did you call upon Mrs. Clarke the third time you saw her? In order to procure the insertion of some letters in the Morning Post.

What was the subject of those letters? The subject of those was answers to the letters of Belisarius.

Why was it necessary for you to go to Mrs. Clarke, to procure the insertion of those letters? Because Mrs. Clarke had asked it as a favour of me.

To do what? To get those letters inserted in the Morning Post.

Do you mean to say that you carried those letters to Mrs. Clarke, because Mrs. Clarke had desired you to insert them in the Morning Post? I did not carry them to Mrs. Clarke; I received them from Mrs. Clarke.

Then the third time you went to Gloucester-place, you went to get those letters? I did.

Did you go then of your own accord, or by the desire of Mrs. Clarke? At the desire of Mrs. Clarke; I believe so; it is really so long since, that I cannot say whether I volunteered my services to go that day for those letters, or whether she had appointed that day for me to call for those letters; I did call for those letters, and got them inserted in the Morning Post.

You have stated, that though you did not traffic in commissions, you have had a hand in procuring commissions at different times; had you any dealings of that sort with Mrs. Clarke or others, at the time Mrs. Clarke lived under the protection of the Duke of York? I never had any transaction with Mrs. Clarke as to any commission, either direct or indirect, till this in November, of three companies and two majorities.

In November last, did you know that Mrs. Clarke was no longer connected with the Commander in Chief? Mrs. Clarke informed me that she had been long at variance with the Commander in Chief, and never should be connected with him again.

How came you, having that knowledge, to apply to Mrs. Clarke for her interest for promotions? Not with any view to her interest with his Royal Highness, but Mrs. Clarke had told me that she had great interest with Members of Parliament and General Officers, that she could procure recommendations of the different Colonels of the regiments to which those gentlemen belonged.

Were the transactions of which you have spoken, the only transactions of the kind in which you have ever been concerned? I have answered that question repeatedly.

Have you ever carried on any negotiations respecting writerships to India, besides that which has been mentioned? I have.

How many? One.

In behalf of whom? I cannot charge my memory who the young gentleman was.

At what time? Last year.

The year 1808? I believe it was; and it was the writership that Mr. O'Hara refused; that same writership.

Did you succeed in that negotiation? I did.

What money was paid in consequence of that? I do not recollect; but I believe it was 3,500*l*.

What did you receive in consequence of your exertions in that negotiation? 250*l*.

From whom did you receive that money? From Mr. Tahourdin.

To whom was the other sum of three thousand and odd pounds paid? To Mr. Tahourdin, I presume; but I was not present at the receipt of the money.

Do you now recollect on behalf of whom that negotiation was carried into effect? No. I do not; but I could trace it, no doubt.

With whom did you treat for it? I do not know the name of the gentleman with whom I treated for it; I did not expect to be called upon, and did not charge my memory. The gentleman was a stranger at the time.

Have you, or not, been concerned in any other transactions of this kind? I do not recollect any other.

Are you certain that you have not been concerned in any transactions of this kind? I am not certain; but I do not recollect any other. I do not believe I have.

Are you certain that you have not been concerned in any transactions of this kind? I could almost say I am; but I will not.

Have you ever had any part in negotiating a Cadetship? I do not recollect any Cadetship that I ever have.

If you are not in the habit of concerning yourself in matters of this sort, it is very extraordinary that you should not recollect: try to recollect whether you had any concern in negotiating for Cadetships? I do not recollect; I may have applied, but I do not recollect passing any Cadet.

Do you make a habit of dealing in things of this nature? I have made no further habit of it than that which I have already stated.

Have you ever had any concern in a negotiation for procuring a situation in the Custom-House? Mrs. Clarke informed me that she had interest through which she could appoint a Collector of the Customs, and several others. I mentioned it to a gentleman, not with a view to bring it to my own interest at all.

When was this? In November or December. Mr. Wardle can inform you.

You have stated that you concluded a negotiation through Mr. Tahourdin for a Writership to India; endeavour to recollect the name of the young gentleman that was appointed? I cannot, for I do not know that I ever knew him.

Cannot you, when you return to your office, find out the name and bring it to this Committee? I have no office.

Cannot you, when you return home to your own house, look into your books and find the name of the young man? I cannot, for I keep no books; I am not confident that I ever knew the name of the young gentleman.

Have you no memorandum or slip of paper? I have none by which I can trace it.

Cannot you ascertain by what Director the young man was appointed? I cannot, for I never knew.

Do you know that any Director who takes money for an appointment of this nature, breaks his solemn oath which he takes when he enters into the service of the East India Company? I presume a Director may dispose of his card for a Writership, or a Cadetcy, and it may be sold, and the Directors know nothing, and receive no emolument, confiding to a gentleman that he would not suspect of doing so.

In what year was this? It was I believe last year.

To what Presidency was it? I do not know.

You have said that you once made an application to Mrs. Clarke in favour of Mr. Glasse; without the knowledge or privity of Mr. Glasse; if the application in favour of Mr. Glasse had succeeded, by whom was the money to have been given for it? By me.

Did you mean to pay it yourself out of friendship for Mr. Glasse, without any hope of remuneration from him? I did, by the commissions which were to have been disposed of. I intended Mrs. Clarke should retain as much out of those commissions as would have paid for that situation, provided it could have been obtained.

You meant to make a present to Mr. Glasse, to the full amount of the remuneration you were to give to Mrs. Clarke for procuring him some deanery, or whatever the church preferment was? I did.

Which of the applications was the first, in point of time, for the preferment in the church, or for the preferment in the army? The preferment in the army, I believe, took place in November; some other situations and arrangements Mrs. Clarke had made were previous to that.

Which preceded, in point of time, the application for the captaincies and the majorities, or for Mr. Glasse? I believe that the situations, Mrs. Clarke pointed out in the West Indies, and the situation that she pointed out at home, one was in the commissariat, I believe, which she said she could obtain; and the other was that of landing waiter. Those were the situations she first promised, which she said the Duke of Portland was to have given to her. Out of those commissions it was that she was to have been paid.

Is the committee to understand that those commissions, of which you have now been talking, are fresh commissions, the advantage derived from which was to repay the 1000*l.* to be paid for the deanery of Mr. Glasse; or is the Committee to understand that the advantage proceeding from the captaincy and the majority before-mentioned were to pay it? From the commissariat appointment and the landing waiter; not from the captaincy and majority.

Then this landing waiter and commissariat are new appointments? They are new transactions.

Not before stated to the Committee? I forgot to state them to the Committee.

At the outset of your examination, you stated, that you never had trafficked, directly or indirectly, for any places under Government of any description? I never carried any into effect.

The words "carried into effect" were not put in; you have now enumerated not less than nine situations for which you have carried on negotiations: you also stated, that you thought the crime was not so heinous, because you knew the practice to be daily taking place; what practices do you allude to which you knew were daily taking place? The disposal of commissions, I believe, has been generally reported to have taken place: but I know not any which took place which I had no connection or concern with whatever.

Do you know of any transactions so taking place, with which you had or had not concern? I have heard of things, but do not know of any.

You do not know, in any way, of such transactions having taken place? I have heard of such transactions.

Do you know of such transactions? The transaction of Captain

Tonyn I beg leave to mention here; I must allude to that and Major Shaw: I did not understand how either of those were carried into effect till last November: I never knew that Mrs. Clarke was concerned in Major Shaw's business till last November. Captain Tonyn was gazetted in 1804; and Mrs. Clarke, in 1805, I understood, was the person who had obtained that promotion for Major Tonyn.

Independently of that case of Major Tonyn, there is a case of Major Shaw's, of which you have heard? I heard last November only.

Do you know of any other besides Major Shaw and Captain Tonyn? I do not recollect any other.

Are you sure you do not know of any other? I do not recollect any other.

Do you, or do you not, know of any other? I do not know of any other that I recollect; nor do I believe that I recollect any other.

Do you not know of some others? I know of no others, to the best of my knowledge; if I did I would mention it, but I do not; I believe I know of no other whatever.

You have said positively you know of no other? I believe not.

You have said once positively you knew of no other; do you say positively whether you knew of no other? Do you mean to say I have been concerned with others.

Have you been concerned in any other? Not at all.

Do you not know of any other? I do not, to the best of my knowledge; it is impossible for me to charge my memory; I have told you every thing to the best of my knowledge and belief.

When you were asked concerning certain Custom-house appointments, you said, that Colonel Wardle, an honourable member of this House, could tell about them; what can you say of Colonel Wardle's knowledge of those appointments? I must refer to Mrs. Clarke for that.

What has Mrs. Clarke told you relative to that? That she could procure recommendations from great people, and she mentioned the name of Mr. Wardle also, not as the person that would recommend, but as the person who knew others that she should make acquainted with the circumstance.

What other persons, besides Colonel Wardle, did she mention as knowing of these matters? Not as knowing, for she told me, she should tell Colonel Wardle.

You said Colonel Wardle amongst others, who were the others? She mentioned, that she should acquaint Colonel Wardle, or mentioned his name upon the business.

Who was the person with whom you negotiated in the last transaction to which you have alluded, with respect to the writership? Mr. Tahourdin.

You stated that it was through him the money was paid, was he the only person with whom you negotiated? He was the person who procured the appointment, but from whom I cannot say.

Was he the only person with whom you negotiated, or had any concern or dealing in this transaction? The gentleman who obtained the introduction for his young friend, of course, I negotiated with also, as I introduced them together; Mr. Tahourdin and that gentleman, I really cannot tell the gentleman's name, for I do not recollect it; but I dare say Mr. Tahourdin would furnish me with his name.

State to the Committee whether you first applied to Mr. Tahourdin,

or Mr. Tahourdin to you? I did not apply to Mr. Tahourdin; he was recommended to me, in consequence of a letter I had from a lady in Dublin, to procure a writership for Mr. O'Hara.

Who recommended Mr. Tahourdin to you? Messrs/ Austen and Maunde recommended him to me.

Do you know whether that writership was the subject of any advertisement in the newspapers? Not at all that I know of.

Not being a trafficker in places, but yet having a certain tendency to negotiate them, and to take a pecuniary advantage by them, how came you not to apply to Mrs. Clarke while she had an acquaintance with his Royal Highness, but to apply after that had ceased; and when her connection with the Duke of Portland and members of this House was a little more distant? I have already explained that business; it was merely the effect of chance; Mrs. Clarke sent for me, and proposed the business to me; it was not the effect of my application.

At what number in Argyle-street does Mr. Tahourdin live? I do not know, but his name is upon the door.

Did Mr. Tahourdin receive the nomination of the writership immediately from the director, or through the medium of a third person? I never asked Mr. Tahourdin from whom he procured it, or how he procured it.

Is the lady, who applied to you on behalf of Mr. O'Hara, an acquaintance of your's? She is.

You have stated, that you saw nothing of Mrs. Clarke from the middle of the year 1806, till last November; was that interruption in your intercourse occasioned by any difference that you had together? Not the least.

What was it owing to? Because I had no acquaintance with Mrs. Clarke further than I have already stated; I never saw her more than four times previous to her separation from his Royal Highness the Duke of York.

[The witness was directed to withdraw; the Chairman was directed to report progress, and ask leave to sit again.]

The House was then resumed, and the chairman of the Committee reported progress.

The Chancellor of the Exchequer urged the necessity of pursuing the present important inquiry from day to day, till it was gone through; and trusted that gentlemen would postpone other business till this was disposed of.

Mr. Robert Smith moved that Mr. Tahourdin be summoned to attend the Committee, to explain what had come out this night; but

The Chancellor of the Exchequer thought the investigation of the disposal of the writership had nothing to do with the Duke of York, and though he should gladly consent to refer it to a Committee above stairs, yet he thought it was not a proper subject to interrupt the business now pending. The right honourable Chancellor thought the gross sales which had been alluded to, should be resisted wherever they could be met; and he should have no objec-

tion to bring in a bill to make it a misdemeanour to advertise such sales, and to forfeit all money which might be deposited for them.

Mr. Smith upon this waved his motion.

The conduct of William Williams, the person in custody of the Sergeant at Arms, was then discussed by Mr. Sheridan, Mr. Adam, Mr. Kenrick, Mr. W. Wynne, &c. when, upon the examination at the bar of Mr. Lowten, who had known the man as deranged for some time, he was ordered to be discharged without payment of fees.

Adjourned.

HOUSE OF LORDS.

FRIDAY, FEB. 10.

Lord Grenville postponed his motion respecting the Orders in Council, and our relations with the United States, until Friday next, when he apprized their Lordships he would peremptorily bring it on.

Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, FEB. 10.

Mr. Wardle moved, that Captain Sandon be again summoned to attend and give evidence before the Committee, upon the inquiry into the conduct of the Commander in Chief.

EAST INDIA PATRONAGE.

Mr. George Smith rose to move for a Select Committee, to inquire whether any and what corrupt practices had obtained in the sale or disposal of cadetships, writerships, or other appointments, under the East India Company, or any negotiations respecting the same. He had the satisfaction to state to the House, that he brought forward this motion with the special approbation of the Court of Directors, with whom such a measure had been for some time in contemplation, in consequence of the rumours prevalent that such a traffic for the disposal of such places had been carried on, and which, by no possibility, could have their sanction. What had passed in evidence before a Committee of the House last night, rendered it necessary no longer to defer this motion, in order as well to vindicate

the Court of Directors from every idea of countenancing such transactions, as to trace them, if possible, to detection. He concluded by making the motion.

Mr. Charles Grant seconded the motion, and expressed his regret, that he was not present last night, when something was stated upon the subject, by one of the witnesses before the Committee. He assured the House, that nothing could be more satisfactory to the Court of Directors than the institution of the inquiry proposed; for, as public men, they felt it a painful duty to meet imputations, the sources of which they found it impossible to discover, notwithstanding their most vigilant exertions. About eight or nine years since, the Directors, upon a report of this kind having reached them, instituted an immediate and minute inquiry, to ascertain whether such abuses did exist, as the advertisements every day inserted in the public papers for the purchase of such appointments seemed to imply; as the Directors, if they found that any such transaction had the aid or countenance of any of their own body, were determined to make that person a public example; and it was in consequence reported to the Court that the patronage of a member of that body had been bestowed in favour of a clerk in the India House, who had received a cadetship, which appointment the party had sold; but as soon as the fact was discovered, he was dismissed from his employment.

The motion passed in the affirmative; and *Mr. Smith* being called on to name such members as he thought most eligible, expressed his wish that the House would interfere, and take up the inquiry upon general grounds, and that no person belonging to the Court of Directors, or Board of Controul, should be a member of the Committee. He wished rather that it should be chosen from the House at large; and be therefore named fifteen members unconnected with India affairs, and who were ordered to sit to-morrow.

THE COMMANDER IN CHIEF.

The house, on the motion of *Mr. Warille*, resolved itself into a committee to inquire into the conduct of the Duke of York.

Mr. Wardle thought it necessary, before the Committee proceeded to examine evidence, to offer a few observations, in consequence of something in the evidence of *Mr.*

Donovan on the former night, stating that a letter written by Mrs. Clarke to him about a Captain Tucker was framed by Mr. Finnerty. Upon a former day he had stated every thing he knew about Mr. Finnerty; that he never saw him until about the time Major Hogan's pamphlet was published, and only once more in the lobby of the House, when he had said something to him about Dr. Thynne. Mr. Finnerty might possibly have mentioned to him Mr. Tucker's name; but he solemnly declared he never received from Mr. Finnerty, any information whatever, about Mr. Tucker. Having, therefore, put the Committee in possession of all he knew about Mr. Finnerty, and all the information, or rather non-information, he had given him (for, in fact, he had told him nothing); he should feel much gratification if the House would comply with the petition presented by a right honourable gentleman last night from Mr. Finnerty, and permit him to be examined at the bar, which would put an end to every insinuation respecting his acquaintance with Mr. Finnerty. His right honourable friend, for so he would call him, (Mr. Sheridan), had thought fit on a former night to make an extraordinary attack upon him, respecting his alleged acquaintance with a set of men who were called foul conspirators, and that he had derived his information from persons with whom it was disgraceful to hold any communication. He knew of no set of men of the description mentioned by the right honourable gentleman. If he knew of such men, he would be the first to give them up. He declared to God he neither knew nor could guess what his right honourable friend alluded to; and wished his right honourable friend had chosen rather to give some explanation of whom the persons were to whom he alluded, than by an imputation so mysterious to expose his conduct to the comments and misrepresentations of the ministerial prints of the day. If his right honourable friend would be so good as to name any character of such a description as he had stated, and from whom he might have derived unfounded information upon this subject, he would declare all he knew, and do all he could, to bring such persons to justice. The next point to which he felt it necessary to call the attention of the Committee was, the evidence given last night by Miss Taylor. It was a duty he owed to that lady to state what he was now about to submit. He understood

that that lady had two brothers in the army, and one in the navy; and when he had told her of his intention to have her examined at the bar of the House, she expressed great unwillingness to come forward; but when he urged the necessity for her examination, her answer was, that if she was forced to come forward to speak the truth, she must do it at the risk of ruin to her nearest and dearest relations.

Mr. Sheridan coincided with his honourable friend, in the wish that *Mr. Finnerty* might be examined, and said, that so far from having intended to make any attack upon him (*Colonel Wardle*), as he was pleased to term it, on a former night, he merely cautioned him as to the sources of his information, and had sent to him a message upon the subject by a mutual friend.

Mr. Wardle said, he never had received that message, and observed that his right honourable friend, on the former night, had pretty strongly insinuated that his information was derived from persons of the description of conspirators, with whom it was disgraceful to hold any communication, but without naming the persons to whom he alluded.

Mr. Sheridan said, he had used no such phrase as conspirators or conspiracy; and it was hardly to be expected he should be so indiscreet as to name persons who were yet to give their testimony before the House, and thus to excite prejudice against them. He had no objection, however, to allude now to one of those persons named *Donovan*, who had yesterday given his evidence at the bar, and whose gross prevarication evinced the kind of reliance that could be placed on any information derived from him. There were also two others whom he had no objection now to name; for instance, *McCallum* and *Cockayne*, who, he did not scruple to say, were persons to whose information no credit was to be attached; and he had cautioned his honourable friend against placing much reliance upon such men: but he called the House to witness, whether, instead of making any attack upon his honourable friend, he did not vindicate his conduct and intentions, and deprecate the attempt of any set of men disposed to make a run against an individual member, who had the firmness and independence to rise in his place, and do that which he conceived to be his public duty. For his own part, he was determined his conduct

should be guided by neither favour nor affection, nor any regard to rank or station.

Sir Arthur Wellesley bore high testimony to the military conduct of Colonel Tucker, now no more. He had served under both *Sir David Baird* and *Sir Samuel Auchmuty* in South America, with the highest recommendation from both, as an officer highly deserving his Majesty's favour; and he felt it his duty to state, that having witnessed his conduct in the expedition to Portugal, and his gallant services upon two particular occasions, he felt it due to his character, and to the consolation of his family, on this occasion to bear testimony to his merits.

Mr. Wardle declared he never meant the most distant imputation upon the conduct of that gallant officer, nor had he any personal knowledge of him whatever; he had only mentioned his name as connected with one of the transactions which were the subject of inquiry. *Mr. Wardle* next alluded to some letters in his possession, which were alluded to on the evidence of *Mr. Donovan*, last night, to the reading of which he had no objection, and which he was ready to produce if the Committee desired it.

This produced a conversation of some length between the honourable member, *Lord Folkestone*, the Attorney-General, *Mr. Perceval*, *Mr. Sheridan*, *Mr. Whitbread*, *Mr. Yorke*, and *Mr. Bragge Bathurst*, after which it was agreed that the letters should be read.

GWYLLYM LLOYD WARDLE, Esq. a Member of the House, attending in his place, was examined as follows:

Are those the letters *Mrs. Clarke* alludes to in her letter to *Mr. Donovan*, in which she says, "I must be candid and tell you, that in order to facilitate some negotiation, I have given him a few of your letters?" Those are part of the letters I had from *Mrs. Clarke*.

Are those the letters to which this letter of *Mrs. Clarke* alludes? It is impossible I can answer that.

Are those all the letters of *Mr. Donovan's* you received from *Mrs. Clarke*? To the best of my recollection, all, except some letters of *Mr. Donovan's*, that apply to the commissions that I examined about last night, to be backed by a Member of Parliament.

Did you obtain the letters of *Mr. Donovan* all at once from *Mrs. Clarke*, or at different times? At different times; the letters I have now given in, I obtained in the way I before stated, to the House.

These are part of those which you took away without her consent? That I took away, as I before stated.

Was it with her consent or against her consent, that you took away those letters? I have before stated how I took them, I took them from

her table; she said I must not take them, or must not use them, or something to that effect.

Mr. JEREMIAH DONOVAN was called in, and examined by the Committee, as follows:

State whether those letters, in the hands of the clerk, are your handwriting? They are.

[The witness was directed to withdraw.]

[Letters read, dated the 8th October, 1808, the 20th October, 1808, 16th November, 1808, 14th December, 1808, and the 23d December, 1808.]

*Charles-street, St. James's-square,
October 8th, 1808.*

"DEAR MADAM,

"The Deanery of Hereford is vacant, and in the sole gift of the Duke of Portland; can you procure it for the Rev. G. H. Glasse? I would myself, unknown to him, give 1000*l.* for it. It must be filled up by next Saturday, at least so a gentleman, who has just given me the information, said. Mr. G. is my most particular friend, and I would make great sacrifices to serve him; he is not in town at present. I can, with confidence, assure you he is a very good scholar, a man of good fortune, and an extraordinary kind friend, of excellent connections, well known to the Dukes of Cumberland and Cambridge. He is rector of Hanwell, Middlesex. His town house, No. 10, Backville-street.

"The money will be deposited on Wednesday next, for the landing waiter's place.

"An inspector of the customs, whose duty is rowing a boat about the river, visiting and placing officers on board different ships, is about to be superannuated; the salary is 400*l.* per annum; I am applied to for the appointment, on the resignation taking place; 1,000*l.* offered for it.

"Your's very truly,

"J. DONOVAN."

"Mrs. Clarke."

*"Charles-street, St. James's-square,
October 20th, 1808.*

"DEAR MADAM,

"Some friends of the Rev. T. Bascley, M. A. are extremely desirous of procuring for him promotion in the church; and it appears to them a very favourable opportunity, the vacancy of the Deanery of Salisbury, to make application to the Duke of Portland; and in order to secure an interest without his knowledge, a party of ladies, at the head of whom is Lady Cardigan, have subscribed a sum of money, 3,000 guineas, which is ready to be deposited, to carry into execution their intended plan.

"Mr. Bascley is well known to his Grace, and was particularly recommended to her Majesty by Lady Cardigan, on the publication of his pamphlet, 'The Claims of the Roman Catholics constitutionally considered, &c. &c.' This chaplain to the Duke of Gloucester, and the Bishop of Lincoln, went with his Grace upon some occasion to serve the Marquis of Titchfield; would be very strongly recommended by many persons of fashion, the Bishops of Norwich and Salisbury. I have a letter from each to Mr. Bascley in my possession, which would throw the estimation in which he is held by them. The ladies are very anxious, and, at the same time, desirous that he should not know

through what channel the money is raised, much less the application, nor do they wish to know any thing further than that he shall succeed; and then so agreeably surprise him; or rather that his Grace, without any preface, should have the whole merit of having selected so worthy a man to fill the vacancy. Your answer will oblige,

"Your's, very truly,

"J. DONOVAN.

"Lord M. and Mrs. J. are in town."

"Charles-street, St. James's-square,

"November 16, 1808.

"DEAR MADAM,

"The place of inspector of the customs is now vacant by the death of Mr. Booty, and I learn that the Queen and the Duke of Dorset are about to apply for it. I hope you will procure it for Mr. Henry Tobin, the gentleman you were so good to say you would serve when an opportunity offered. I will do myself the pleasure of waiting on you whenever you will appoint on the subject. Can you procure the paymastership to a second battalion for 3000l.?"

"Your's very truly,

"J. DONOVAN.

"Dec. 14, 1808.

"Mrs. Clarke."

"DEAR MADAM,

"I regret much that I had not the pleasure to see you on Saturday evening. It was the only time I had been out since Tuesday, and I have suffered considerably in consequence, from my wound.

"I am daily applied to for the particulars of the appointment at Savannah la Mar. Is it a surveyor of customs and landing waiter? Is the salary 1,300l. per annum, or how much is the salary, and from what do the perquisites arise? Is the 1,300l. sterling, or Jamaica currency? What is the duty?"

"Can you procure the landing waiter's place in January next?"

"The paymaster second battalion?"

"Relative to the letters, I am in part ready, and wish to consult with you relative to them. I shall be at home this evening, and, if able to bear the motion of a carriage, dine in your neighbourhood to-morrow.

"I remain,

"Dear Madam,

"Your's very truly,

"J. DONOVAN.

"Mrs. Clarke."

"Charles-street, St. James's-square,

"Dec. 23d, 1808.

"DEAR MADAM,

"I am daily plagued about the Savannah la Mar appointment; also respecting the landing waiter's, the 2d battalion paymastership, and the commissaryship. Pray let me hear from, or see you, on the subject of the Savannah business particularly.

"Mrs. Howes requested me to thank you, in her name, for your kindness, and have got into disgrace for not having done so sooner, and for not letting her know when you called last.

"Your's very truly,

"J. DONOVAN.

"Mrs. H. sends her compliments.

"Mrs. Clarke."

Mr. C. Bradshaw wished the minutes of the examination of Donovan last night to be read.

The Chairman informed him that they were at the house of the short hand writer, for the purpose of being transcribed; but that they would be brought to the House in the course of an hour.

Mr. Bradshaw observed, that if his recollection did not completely fail him, Mr. Donovan had been guilty of the most gross prevarication. It was not his intention to offer a single observation, directly or indirectly, until the close of the examination. But if it should prove as he strongly suspected, he should unquestionably move for the committal of Mr. Donovan. He was proceeding to comment on the doctrine laid down by an honourable gentleman under the gallery, when he was called to order by Mr. Croker.

The Attorney General stated, that he had just received a letter from General Clavering, which he read to the House, and which stated, that having understood that Mrs. Clarke had introduced his name in her last examination, he was desirous of being examined at the bar of the House that night, and more especially touching his having called at Mrs. Clarke's house, as his replies would go directly to impeach that lady's veracity.

Mr. W. Smith observed, that if it were intended to commit Mr. Donovan, for having uttered gross falsehoods, the same proceeding must certainly take place with any other witnesses, who, by their conduct, placed themselves in the same predicament. If it could be proved, that Mrs. Clarke had been guilty of such gross breaches of veracity, as Mr. Donovan seemed to have been, he was at a loss to know where any person could be found who would oppose her commitment. If the assertion of General Clavering were to be weighed against the assertion of Mrs. Clarke, no one could doubt which must kick the beam in the estimation of the Committee; but still the Committee would perceive, that there was a difference between convicting a person of probable falsehood by producing the testimony of another, and convicting a person of absolute falsehood by the production of his own testimony.

The Chancellor of the Exchequer again stated the inconvenience which must result from the indulgence of honourable gentlemen in general observation. The re-

marks of the honourable gentleman were by no means called for by what had been stated by his learned friend.

Mr. Adam recommended a dispassionate conduct on the part of the Committee. It was natural, that in a popular assembly a great diversity of opinions should exist, and that those opinions should be maintained with a heat not always decorous or dignified. It was most desirable that this ardour should be repressed on the present important question, and that the patient examination of the subject, which he was anxious that the Committee should pursue, might terminate as it ought, in an impartial discussion, and in that fair and dispassionate manner which became a judicial proceeding of such extreme importance.

DAVID PIERSON was called in and examined by the Committee, as follows:

[The evidence given by the witness on the 7th instant, being read.]

Is there any part of that evidence, on which you wish to make any observation or alteration, or any addition? No alteration. On the night that the Duke of York went to Weymouth, about eleven o'clock at night, I was sent out to get a bill changed; I went out, and got it changed, and brought it in, and returned it to Mrs. Clarke; she looked over, and said it was all right. The Duke of York was present when I gave the bill to Mrs. Clarke, and received it from Mrs. Clarke.

With whom have you had any conversation, respecting the evidence you gave when you were here last? Not any body.

Have you spoken with nobody about it? With nobody; I have not spoken to any one about it.

Have you seen Mrs. Clarke since you gave your evidence here last? No, I have not.

Did you see Mrs. Clarke, when you retired from the bar on the former day? I saw her, but I did not speak to her.

Did she speak to you? She just bowed her head, and said, "Pierson;" I said, "I have been examined, Ma'am."

Did she say any thing else to you? Not any thing.

Are you positive that no other person has spoken to you on the subject of the evidence you gave here, or you to them? I met Ludowick in the Park, and he asked me; he said that I might be mistaken; yet he could not recollect any thing about it.

Was that all that passed between you and Ludowick? It was all that passed between him and me, except he said, that I must make a mistake; that there was a bill brought down one morning, in his presence, of 10*l.* by Mrs. Favourite, and given to a girl to go out and get change; and he thought I must have made a mistake about that bill.

Did not you make a communication to Mr. Wardle, or speak to him, to say you wished to alter your evidence? I called upon Mr. Wardle, and told Mr. Wardle about the bill that I received from Mrs. Clarke, and went and got change for, and returned that night, in the presence of the Duke of York; I told Mr. Wardle that I had done that.

What was the amount of the bill you got change for? I think 100*l.* but I am not certain.

Do you adhere to your former statement, that you had spoken to no person on this subject since you were examined in this House? I have not spoken to any person since I was examined.

Where did you get that bill changed? I got it changed at Mr. Byfield's and Mr. Bridgeman's; Mr. Bridgeman and his wife changed it for me, confectioners in Vere-street.

Are Byfield and Bridgeman partners? I believe they are.

Did you try to get that bill changed at any other place? Yes; I went to Mr. Stevens's, in Bond-street, and tried there, but they could not do it for me; they sent out, but could not do it for me.

How long have you left Mrs. Clarke's service? It is three years ago now.

Have you seen her frequently since you quitted her service? I never saw her before I saw her at this House.

Did not you see Mrs. Clarke in her chariot a day or two before you gave your evidence at this bar, or on the very day in which you gave your former evidence? The day before she sent for me into Baker-street, where she was in her carriage, to ask me whether ever I had changed any bill, or knew any bill changed; I said, I recollected Mrs. Favourite giving a bill to Ludowick, and his going and getting the bill changed, and bringing it back again; and how I had taken a bill from her the night the Duke of York went to Weymouth, and got her change, and brought it back again; she asked me the amount of it, and I could not tell her; and she said she recollected that very well.

Have you made any communication to Mrs. Clarke since that period, or do you know how it was communicated to her, that you meant to alter your evidence? I have not seen or made any inquiry or any thing to Mrs. Clarke.

How do you account for the circumstance, that at your last examination you did not recollect the particulars which you have now related to the Committee? I had a very bad head-ach, and when I have the head-ach it affects my memory, that I am very forgetful, and I did not think of it; and at the same time, when I was asked about the Duke's servant, I thought I must not answer as I was Mrs. Clarke's servant; or I had thoughts of it then, but as I was not asked, I wished rather to withdraw.

Are you labouring under that suffering at the present moment. Not now.

Then it was not merely from the defect of memory occasioned by your head-ach that you did not state the circumstance on your former examination? Yes; it was from that that I did not recollect it; being a stranger, and never at the bar before, I did not know what to say.

Did you recollect at the time that you were here before, what you have stated? I had some recollection, but I could not tell the sum of the bill, or any thing; but I have since recollected, that I believe the bill I changed that night at eleven o'clock, was 100*l.* or thereabouts.

Did you know before you came to the bar this evening that you were to be re-examined upon this point? No, I did not.

Do you recollect what time of the night it was that the Duke of York set off to Weymouth, on the night this was changed? Near one o'clock in the morning.

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Did you not know when you were the last time at this bar, that you were to tell the truth? I have told the truth, to the best of my knowledge.

How could you state that you had spoken with nobody on the subject of the evidence you have given before, when you immediately afterwards declared you had spoken both with Mr. Wardle and Ludowick? I did not think what I said then.

How do you reconcile your memory, being so perfect in every other part of the transaction, and not so perfect as to the amount of the note you got changed? I am not certain of the amount of the note, no further than I think, to the best of my recollection, it was 100*l*.

Do you know a Miss Taylor? I have seen her at Mrs. Clarke's.

Was she frequently at Mrs. Clarke's? She was frequently at Mrs. Clarke's.

Was she ever there when the Duke of York was there, and in his company? I believe not, I do not recollect to have seen her in his company; she might have been in the house.

Was she usually part of the society when the Duke of York was there? I never saw her in company with the Duke of York.

Was she very intimate with Mrs. Clarke? I believe very intimate.

Are your head aches of such a nature as to require medical aid? No.

What did you understand to be the real profession of Miss Taylor? I am quite a stranger to it.

Do you ever recollect Miss Taylor dining in company with Mrs. Clarke at Gloucester-place? Yes I do.

Did the Duke ever dine there at the same time? No.

[The witness was directed to withdraw.]

[Brigadier-general Clavering having stated to a member of the House, that he was desirous of being examined,]

Brigadier-general CLAVERING was called in, and examined by the Committee, as follows:

Have you sent a letter to me (the Attorney-general) this evening? I did so.

Desiring that you might be examined? I did so.

When did you first know Mrs. Clarke? I believe it was about six years ago; I am not exactly precise as to the date.

For what purpose did you call at Mrs. Clarke's house recently? It was in consequence of a report that I heard, that every person in town with whom Mrs. Clarke had ever had any conversation, was to be called before this honourable House for the purpose of pledging to her veracity, and I heard, among others, that my name was introduced; I accordingly addressed a letter to an honourable member of this House, Colonel Wardle, a copy of which letter I have in my pocket, if it is necessary to produce it.

[General Clavering read the letter.]

"SIR,

"8th Feb.

"It has been intimated to me, that a letter has been addressed to you by Mrs. C. which is to be brought forward before the House of Commons, wherein my name is introduced as being capable, among others, of speaking to her veracity. Should this be the case, I am most urgently to request, that my name maybe expunged from the said letter. My testimony, moreover, would mar the very point which she is desir-

rous of supporting, since she told me very lately, that she was living with Mr. Mellish; since, being a family man, the world would be inclined to attribute improper motives for my acquaintance with a lady in her situation.

"Being particularly anxious in this business, I wish to have the honour of seeing you upon it; and presuming that twelve to-morrow will not be an inconvenient hour, will wait on you at that time."

I accordingly, at twelve yesterday, did call upon Mr. Wardle, and I stated to him the purport of the letter which I have had the honour of reading to you; and I further stated, that if it was Mrs. Clarke's intention to summon me before the House, my testimony must certainly go to impeach her veracity, because it is not above a month since, that she absolutely stated to me, that she was living with a Mr. Mellish. On my return, after leaving Colonel Wardle's house, it lay in my way to pass by Mrs. Clarke's door, and it occurred to me, that probably it might be a service also to state the same circumstance to her; I called there, and she denied herself, and said that she was extremely ill in bed, but that if I would call in two hours, she would see me; I replied, that it would not be in my power to call at that time; she then sent me word, she was to be seen at home at five o'clock, if I called at that time; I accordingly did call about a quarter after five, and did not see her: the purport of it was to inform her, that if she did call me, I should be under the necessity of stating what I have now had the honour of stating.

Is there any thing else which you wish to state to the House? If I may judge from the accuracy of what I have heard, I understand my name was further brought forward last night, as having attempted to influence the vote of an honourable member of this House. I declare, upon my honour, to the best of my recollection, I never spoke to that honourable person upon the question, and it was perfectly unnecessary for me so to have done, because the honourable gentleman always did vote upon the side on which he then gave his vote.

Did you ever represent, that you had influenced that person to give his vote upon that occasion? Never.

Did you exert yourself to bring up Lord John Campbell from Scotland, to vote upon the defence bill, towards the latter end of 1805, or the beginning of 1806? To the best of my belief and recollection, I never wrote to him nor spoke to him upon the subject.

Did you at any time during your acquaintance with Mrs. Clarke, promise to send her recommendations of any officers? Never; but it will be necessary to explain the answer that I gave there more fully. About six weeks ago I received a letter from Mrs. Clarke, stating her inclination to see me; I called upon her, when she informed me she was extremely anxious to promote a young man who was a lieutenant in the 20th regiment, and that his Royal Highness the Duke of York was also anxious he should be promoted, and that Mr. Greenwood was also anxious he should be promoted. I was just then returned from abroad. She informed me a regulation had been lately entered into, that any member of parliament, or a general officer writing a letter to Colonel Gordon, that recommendation would be taken into consideration immediately; I informed her I was not aware of any such regulation, and that previous to my taking any step of that kind, as it was totally unknown to me, I must know that that person was a deserving character.

She accordingly, about two days afterwards, inclosed me a letter signed by Lieutenant-colonel Ross, of the 20th regiment, stating that Lieutenant Sumner, the officer in question, was a very deserving character. In order to be satisfied that this letter was written by Lieutenant-colonel Ross, I went to the house of Messrs. Greenwood and Cox, and shewed the letter to the head clerk, who informed me that it was the signature of Colonel Ross; I afterwards informed her that it would be absolutely necessary that a proper letter should be written to me upon the subject, and as she had told me this Lieutenant Sumner was a nephew to Mr. Sumner, an honourable member of this House, I desired that this letter should be written by him to me. Accordingly, a few days afterwards, I received a letter, which was absurd in the extreme, dated from the Temple, and dated something sooner; the letter was so extremely absurd, that I returned it to Mrs. Clarke, stating in my letter, that if she meant it as a joke, it was an extremely bad joke, and that if I sent it to the War-office, it would be very badly received; and I concluded that I was her humble servant. A few days afterwards, she sent me another letter, signed by this same Mr. Sumner, which letter I have in my pocket, but which second letter I took no notice of, in consequence of the extreme absurdity of the former.

[The letter was delivered in and read.]

" Sir,

" My brother, Lieutenant Sumner, of the 20th foot, being desirous of purchasing a company in the 79th regiment, and having served in the above-mentioned corps, with the entire approbation of his commanding officer, (if not in that, in any other old regiment of the line,) I take the liberty of requesting, that you will adopt the necessary steps for promoting his wishes by such recommendation of him, to the Duke of York, as his conduct appears to merit; and you will confer a very great favour on.

" Your most obedient,

" humble servant,

" CHAS. C. SUMNER.

" Temple, Jan. 17th, 1809.

" Brig. Gen. Clavering."

Did Mrs. Clarke represent to you who this Mr. Sumner was, from whom the letter came? She informed me upon my first interview with her, that he was a nephew of Mr. Sumner the member for Surrey.

Were you informed who the Mr. Sumner was, who was supposed to have written that letter? I never was informed who the Mr. Sumner was, who wrote that letter, but I have been informed this evening that there is no such person in existence.

At either of the times you called upon Mrs. Clarke yesterday, did you leave any, and what message, and with whom? If I mistake not, I stated that to the honourable House before; I left no other message than that I should call at about a quarter after five, as she had appointed that time for being at home.

Did the gentleman who was with you, leave any message in your hearing? There was no person with me.

At either of the times? On the second time, I certainly said it was extremely extraordinary that she had gone out, when she had appointed that time for seeing me.

Did you leave any message purporting what was the nature of your visit to her? I left no message whatever, but that which I have had the honour of stating.

I understood you to say, that you impeach the credibility of the testimony of Mrs. Clarke, upon the ground that she represented herself to be living with a Mr. Mellish; did she represent herself to you, as living with Mr. Mellish the member for Middlesex? She did not say that he was the member for Middlesex.

Have you any, and what reason to suppose that she did not live under the protection of a Mr. Mellish? That which passed in this honourable House a few evenings past; it was proved that she did not live with Mr. Mellish.

Then I understand you to say, that you have no other reason for impeaching the credibility of the testimony of Mrs. Clarke, but the statement that she lived under the protection of a Mr. Mellish? Not any, that I am at present aware of.

Have you any reason, independent of any circumstances that you have read or heard of, to impeach her testimony, or to consider her not worthy of belief? I certainly do not conceive her worthy of belief, from having imposed upon me, in the manner she had, and from the variety of contrary evidence it does appear she has delivered before this honourable House.

How has she imposed upon you? By having informed me that she was under the protection of Mr. Mellish, which I understand not to be the case.

How do you understand that not to be the case? From its appearing to have been proved to the contrary before this honourable House.

Have you any other reasons whatever, than those you have stated, to believe that she has imposed upon you? None, that I am at present aware of.

Have you not stated in evidence to this Committee, that she has imposed upon you by stating that there was a false letter written to you, in the name of Sumner? If I am correct in my recollection, I did not state this evening that she had imposed upon me on that account.

Have you not stated, that in the case of the defence bill your name had been used, which you denied to be true? I stated that I had heard so, but not from herself.

Are you acquainted with Miss Taylor? If it is the Miss Taylor who has been examined before this House, I certainly have seen her at Mrs. Clarke's.

Have you frequently seen her at Mrs. Clarke's in Gloucester-place? I may have seen her probably twice or three times there.

Was she there as the friend and companion of Mrs. Clarke, when you saw her there? I certainly believe not, because Mrs. Clarke informed me, that she kept a boarding-school at Chelsea.

When she was in Gloucester-place, was she not upon a visit to Mrs. Clarke, and associating with her, living with her for the day? That is more than I can reply to, not recollecting having ever been in Gloucester-place more than twice.

Did you not state that Mrs. Clarke had informed you that a regulation existed, by which a letter of recommendation of an officer, requesting promotion, forwarded by a member of parliament or a ge-

neral officer, would obtain consideration; and have you ascertained whether such a regulation does exist? I certainly have informed myself, that any application from an honourable member of parliament, or from any general officer, will always meet with attention at the office of his Royal Highness the Commander in Chief.

Is the sense in which you understand attention will be bestowed upon a letter so sent, the sense in which you understood the communication you received from Mrs. Clarke? I really do not understand the question.

Do you understand the regulation, as you suppose it to exist, to be the same as she described it to you? Certainly not, because she gave me reason to understand, that, during the time I was absent abroad on foreign service, a regulation had been issued, and no regulation had been issued upon the subject; I cannot say that she absolutely in those direct words said so, but she gave me to understand it, and I did so understand it.

In what respect does the representation she gave of this regulation, and what you understand to be the practice of the Commander in Chief, differ? They differ most widely, in consequence of no such regulation as she informed me of having ever been issued; but it was always understood, that a recommendation from a member of this House would be attended to, provided the object so recommended, on further inquiry, was found worthy of promotion.

You have stated, that you called at Mrs. Clarke's twice recently, to request that you might not be called upon to speak to her veracity; had you any other communication with Mrs. Clarke, relative to the subject now undergoing the consideration of this Committee? I certainly had another object in view besides, that I did not wish my name to be brought forward in a case of this kind, because the world might naturally imagine that, having had any communication with a lady of that description, it might have been a communication of a criminal nature, which, upon my honour, never did exist.

Had you no other reason for requesting that you might not be called upon? None but what I have had the honour of stating to this Committee.

You have stated, that you impeach the credibility of the evidence of Mrs. Clarke, because she told you that she lived under the protection of a Mr. Mellish, which you think contradicted by the evidence that came before this Committee; what reason did she give you, or what reasons induced you to suppose that the Mr. Mellish she alluded to must be the member for Middlesex? If I am correct, I did not say that it was Mr. Mellish, the member for Middlesex.

Having stated, that you called twice upon Mrs. Clarke, to request that your name should not be mentioned, or that you should not be called upon to give any testimony against her; what motive has induced you to come now to give this evidence? Because my name having appeared in the public papers, I was desirous of wiping away the imputation which I have already referred to.

Are you acquainted with Mr. Dowler? I never heard of him, excepting through the medium of the public prints.

Do you recollect having had any conversation with Mrs. Clarke upon political transactions, at the period of 1804 and 1805? I have

no recollection of any conversation of the kind; I am certain that none of that nature then took place.

No conversation on the subject of the debates that were taking place in this House, and who was likely to vote on one side, and who on the other? I have no recollection of any circumstance of the kind, and I am almost positive that no conversation of that nature ever did take place, as it was a business in which I did in no way whatever concern myself.

Had you any communication whatever on the subject of army promotions with Mrs. Clarke? I never proposed any conversation of that kind, nor do I recollect any having ever existed, excepting at the period I before alluded to, when she requested I would recommend to the consideration of the Duke of York, Lieutenant Sumner, of the 20th regiment.

I understand you then to say, you had never at any time any communication or conversation whatever with Mrs. Clarke on the subject of army promotions, except in the case of Lieutenant Sumner? Certainly not, as being the subject of conversation.

Had you any incidental conversation with Mrs. Clarke upon that subject? A period of so many years having elapsed since that time, it is impossible to speak positively and accurately to a question so close as that, but to the best of my belief I do not think I had.

Do you of your own knowledge know that Mrs. Clarke used her influence in favour of any person whatever in the army with the Commander in Chief? I do not.

Do you of your own knowledge know of any person that asked her to use her influence with the Commander in Chief upon that subject? I am not acquainted with any person that ever did; I have heard reports of that nature, but I cannot bring to my recollection any person positively.

Then you state positively that you do not know of any transaction of that nature? None to my certain knowledge.

Give me a direct and positive answer to that question. I do not know of any transaction of that nature.

[The witness was directed to withdraw.]

The MARQUIS of TITCHFIELD, a Member of the House attending in his place, was examined as follows:

Will your Lordship state every thing you are acquainted with as to an application from the Rev. Mr. Baseley to the Duke of Portland? Mr. Baseley called upon the Duke of Portland on the 3d of January, not being able to see him, left this letter, which the servant gave to my noble relation; it is dated No. 9, Norfolk-street, Grosvenor-square.

[The Marquis read the letter.]

“ MY LORD DUKE, “ *Norfolk-street, Grosvenor-square.* ”

“ I wished particularly to see your Grace upon the most private business. I cannot be fully open by letter. The object is, to solicit your Grace's recommendation to the deanery of Salisbury, or some

other deanery, for which the most ample pecuniary remuneration I will instantly give a draft to your Grace.

"For Salisbury, Three Thousand Pounds.—I hope your Grace will pardon this, and instantly commit these lines to the flames.—I am now writing for the benefit of administration, a most interesting pamphlet. Excuse this openness; and I remain your Grace's

"Most obedient and obliged servant,

"T. BASELEY.

"P. S. I will attend your Grace whenever you may appoint, but sincerely beg your Grace's secrecy."

Indorsed:

"Delivered by the writer himself to my servant, on Tuesday 3d January, 1809, at B. House, P."

This letter was delivered by the writer himself, and is indorsed by the Duke of Portland, the 3d of January in the present year. Upon receiving this letter, my noble relation, finding that the writer of it was gone, gave particular orders that Mr. Baseley never should be admitted into his house, and the same day wrote a letter to the bishop of London, of which I have a copy in my hand, inclosing the note which I have just delivered in at the table.

[The Marquis read the letter.]

"Burlington House, Tuesday, 3d January, 1808.

"MY LORD,

"The person by whom the note inclosed was left at my house this morning being possessed, as I understand, of one if not of two chapels in your Lordship's diocese, I consider it to be incumbent upon me, from the sense I have of the duty I owe to the public, as well as from my respect for your Lordship, not to suffer you to remain uninformed of it; and I accordingly take the liberty of laying it before you.

"I have reason to believe that the note is written by the person whose name is subscribed to it, as I have heretofore received notes or letters from him, the writing of which, to the best of my recollection, very much, if not exactly, resembles that of the note enclosed; and one if not more of which was written at my house in consequence of my declining to see him. The note enclosed, however, he brought with him; and on my desiring to be excused seeing him, he gave it to my servant, and immediately left my house.

"As I have no copy of the note, I must desire your Lordship to return it to me."

Indorsed:

"The Lord Bishop of London,
3d January, 1809."

I do not know whether it is necessary I should read the letter which my noble relation received from the bishop of London in consequence.

[The Marquis read the letter.]

"Fulham House, Jan. 5th, 1809.

"MY LORD,

"It is impossible for me to express the astonishment and indignation which were excited in my mind, by the perusal of the letter which your

Grace has done me the honour of enclosing: a mark of your attention for which I must beg you to accept my best thanks.

"It is too true that this wretched creature, Baseley, has one if not two chapels in my diocese. I have long known him to be a very weak man, but till this insufferable insult upon your Grace, I did not know he was so completely wicked, and so totally void of all principle: and as your Grace is in possession of the most incontestable proof of his guilt, you will, I trust, inflict upon him the disgrace and punishment he so richly deserves.

"I have the honour to be,

"With the highest respect,

"My Lord,

"Your Grace's most humble, and obedient servant,
R. LONDON.

"*Falham House, 5th Jan. 1809.*"

Indorsed:

"The Bishop of London."

That is the whole of the transaction.

Mr. THOMAS PARKER was called in, and examined as follows:

Are you furnished with your books of accounts? I have no more than I had yesterday, nor I do not understand that there is any more; I was not acquainted that I was to attend at the House this evening till I had the summons, but I sent to desire them to let me have all the books and papers that had Mrs. Clarke's name upon them.

[The witness was directed to withdraw.]

Mr. WILLIAM TYSON was called in, and examined by the Committee, as follows:

Have you got any account of checks of his Royal Highness the Duke of York, that were sent into your house by the late Messrs. Birkett of Princes-street? Not any.

Have you any notes of hand, or bills? Not any.

Have you any memorandum in your books of any such bills having passed through your house? Not to my knowledge.

Have you the late Messrs. Birkett's accounts at your house? Yes, we have.

Have you examined those accounts before you came here this evening? Yes, I have.

Was not the order that you received, to bring those accounts with you? It was.

Why did you not comply with that order? I have brought a statement of Birkett's checks.

Had any body spoken to you upon this subject before you were served with a summons this day? No one.

Do you take upon you to say that nobody to your knowledge has been at your house upon this subject, within these last ten days? Not to my knowledge.

Are you a partner in the house? I am not.

Why was it you did not comply with the Order of the House?

[The Order was delivered in and read.]

You have stated that you have a list of checks with you, what is

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that list? In the year 1803, October 7, Parker and Birketts draft payable to Clarke or bearer for 120/; in the year 1804, April 26, payable to Clarke or bearer 50/; August 11, payable to Clarke or bearer 70/; September 13, payable to Clarke or bearer 50/; in the year 1805, March 13, payable to Clarke or bearer 364/. That was the whole I saw payable in the name of Clarke.

Whose checks are those; by whom are they drawn? The first four I believe were drawn by Parker and Birketts; the remaining one by Birketts and Dockery.

You have stated that you have examined Messrs. Birketts account, and find in that account no checks whatever by his Royal Highness the Duke of York, as having passed through your hands? My instructions were to see what checks were drawn by Birketts and Dockery in favour of Mrs. Clarke, which I have done.

Do you happen to know that any bills were ever left at the banking-house of Marsh and Company by Messrs. Birkett, in which Mrs. Clarke's name appears to have been the drawer or the acceptor? I have no knowledge of any.

[The witness was directed to withdraw.]

COLONEL LORAINÉ was called in, and examined by the Committee, as follows:

Did you hold any situation in the Commander in Chief's office, at the time when Colonel French's levy was first instituted? I did.

What situation did you hold at that time? Assistant Military Secretary.

State what you know respecting Colonel French's application to be permitted to raise a levy of men at that time. It came in the usual course of office, and passed regularly through the office, and was examined as all things of that kind are, and every pains taken to ascertain whether it was a levy that would answer the purpose or not.

Did the application of Colonel French come to the office in writing, in the first instance? It did.

Can you produce that writing? These are the terms which were produced in the first instance.

[The terms were read.]

What was done upon this proposal? It appeared to have lain by for some time, and Colonel French wrote another letter.

[Note was read, dated March 5th, 1804.]

What situation did Colonel Clinton hold at that time? Military Secretary to the Commander in Chief.

Was any answer sent to that note by Colonel Clinton? To the best of my recollection when this note came to the office it was sent to me; and I was desired to examine the terms that were offered by Colonel French. At that time I was in the habit of consulting and communicating with General Hewitt, who was then Inspector-General of the Recruiting service, and I shewed the terms to him, and he desired that Colonel French might be referred to him; in consequence of that, a reference was made, which I believe will appear by the correspondence.

[A letter read, dated Horse Guards, 7th March, 1804.]

Do you recollect what was the next step taken upon this proposal?

As far as I recollect, Colonel French applied to General Hewitt, as directed; and General Hewitt of course examined the terms that he proposed, and modelled them as he thought fit for the Commander in Chief's consideration, and after it had gone through the whole of the regular course in the office, the letter of service was issued by the Secretary at War, which is usual in those cases.

Is there any letter of March 20th? Yes, there is; Colonel French made various representations with regard to his levy, before it was finally settled.

Can you by referring to those papers, give any account of those different applications? There is one representation of the 20th March, which I hold in my hand.

Is there one of the 18th or 20th of April? There is a copy of a letter from Colonel Clinton of the 18th of April, returning the proposals with the Commander in Chief's remarks thereupon.

[The letter was read.]

The proposals in short, after having been referred to General Hewitt, were accepted with certain alterations, which appeared in *red ink* in the margin of that paper? They were.

Are you aware of any other alterations that took place in the course of the levy, and how were they introduced, if any? To the best of my recollection, the bounty was raised at two different times during that levy, because the bounties to the regiments of the line had been increased.

Are there any letters among those papers which give an account of that circumstance? Unless I had time to look over the whole papers, I do not know that I could speak to it.

Is the course of office, after the levy is approved, to send it to the Secretary at War? It must necessarily go to the Secretary at War, because it is by him that the letter of service is issued.

Were you in office in April, 1805? I was.

Will you see whether there is any letter of the 16th April, 1805, from the Commander in Chief to the Secretary at War? There is.

[The letter was read.]

Subsequent to that letter, do you recollect any application from Messrs. French and Sandon, proposing some alterations in this levy? Yes; I have a proposal of the 20th April.

What is the effect of that proposal? They proposed that a certain number of officers should be employed in the levy, of a different description from what they had before; that appears to be the drift of it, and also a change with regard to the non-commissioned officers.

Was there any answer to that letter? There was, of the 25th April, 1805, a letter from Colonel Gordon.

[The letter was read.]

What situation do you now fill? I am one of the Commissioners for the affairs of Barracks.

What situation did you hold before you were a Barrack Commissioner? I was Lieutenant-Colonel of the 91st regiment, and Assistant Military Secretary to the Commander in Chief.

How long were you Assistant Military Secretary to the Commander in Chief? About seven years.

What was your rank in the army when you first became Assistant Military Secretary? Major of the 9th regiment of foot.

Did you purchase the Lieutenant Colonelcy? I did not.

Did you ever join your regiment as Lieutenant-Colonel? Never: when my regiment was ordered on service I twice offered to join my regiment, and the Commander in Chief did not accept either of my offers, saying I must remain in my present situation, meaning at the Horse Guards; after this, I did not think that it would be becoming in me to offer again, because it might appear that I was volunteering my services, when I knew my services would not be accepted; and I beg leave to add, that before I came to the Horse Guards, I had been 23 years in the service, and constantly with my regiment; and therefore I did not think that I was so peculiarly called upon, as perhaps a young man who had never seen any service.

Are you now in the army? In consequence of having served 29 years, when I accepted of a civil situation in the Barrack Department, his Majesty was graciously pleased to allow me to retain the rank I now hold, but that rank is not to be progressive.

Did you sell your Lieutenant Colonelcy? I did.

At what price? I know of no other price but the regulated price allowed by his Majesty.

Where have you served? I served four campaigns during the American war, in America; I have served between five and six years in the West Indies; during that period I served with the late Lord Grey at the capture of the French West India Islands; and I have served on the Continent of Europe.

Did Colonel French's levy go through all the ordinary stages in the office; was there any thing irregular or out of the way in the manner in which it was proposed or adopted? It went through the regular course of office, and if I may be allowed to say it, I think it was more hardly dealt with than any other levy at the time going on, and for this reason, that General Hewitt, who was Inspector-General of the recruiting service, had a great prejudice against any officer that he considered a recruiter.

Were the different applications referred to General Hewitt before they were accepted? I invariably laid every thing of the kind before General Hewitt that came into my hands; as I had constant communications with him, it was impossible to find any opinion so good as his upon that subject.

Were the suggestions of General Hewitt in the alterations that he proposed, adopted by the Commander in Chief? To the best of my recollection, almost always in those cases.

Do you remember in the course of those proceedings, any alterations proposed by General Hewitt that were not adopted? I cannot exactly recollect that, but the whole of the proposals were modelled as far as possible according to his wishes and opinions.

Is General Hewitt now in the kingdom? He is not; he is Commander in Chief in the East Indies.

Do the papers in your hands contain every written communication which has passed upon the subject of Colonel French's levy in the Commander in Chief's office? It is impossible for me to answer that question, not being now in the office, and having had no interference or hand at all in looking over these papers.

Then you are not able to state that these are the whole of the communications upon this subject? No.

Mr. JEREMIAH DONOVAN was called in, and examined by the Committee, as follows:

Did you know Major Tonyn, of the 31st regiment? I did.

Relate what you know respecting Major Tonyn's promotion from the 48th regiment to the majority of the 31st. I believe it was about the month of March, 1804, that Captain Sandon called upon me, and told me that he had an opportunity of promoting a gentleman to a majority; if I knew of any gentleman who had claims that would entitle him to it, he could forward the promotion. I mentioned this circumstance to Captain Tonyn, who was a very old officer, I believe he had served about 33 years. The terms upon which he was to obtain that promotion, as far as I can recollect, was 500*l*. Captain Tonyn waited for some time, and he became impatient. I believe about the month of May or June, he said, as there were a number of field officers to be promoted, he considered, as he had not obtained that promotion through Captain Sandon, in the mean time, he should withdraw his name from Captain Sandon, and take his chance in the regular line of promotion: in consequence of which I immediately waited on Captain Sandon, and apprized him of it. Captain Sandon requested that he might be introduced to Captain Tonyn: he was. Captain Sandon argued with him, and told him that it was in consequence of his recommendation that he would be gazetted. Captain Tonyn, on the contrary, said, that his father, General Tonyn, had recommended him for a majority; and that, as he understood a vast number of Captains were to be promoted to majorities on the augmentation, he certainly should be promoted without the interest of Captain Sandon; however they agreed upon some terms; what they were I do not know, I had nothing to do further with the pecuniary transaction, nor did I know, till the May twelvemonth following, the year 1805, how it was that Major Tonyn obtained that promotion.

What did you know in the year 1805, to which that refers? I knew that Major Tonyn was promoted.

Is that all you know? But Major Tonyn's promotion came out in the general promotions of augmented field officers.

Is that all you know? That was all I knew till the year 1805. Major Tonyn, I believe, was gazetted in August, 1804, and then, to my astonishment, I was informed by Mrs. Clarke that she was the person who had obtained that promotion.

Do you know whether the 500*l*. was lodged upon the first agreement in the hands of any particular person? The money I believe, was not lodged in the hands of any person in the first agreement.

Do you know whether any money was lodged prior to the gazetted of Major Tonyn? I did not know that any money was lodged prior to the gazetted of Major Tonyn.

Do you know whether any money upon that communication was lodged at all or not? I do not know that any money was lodged previous to that period.

I do not ask previous to any particular period, but do you know that any sum of money was lodged with any body on that account? There was no sum of money lodged on that account; but I believe, a gentle-

man had undertaken to pay Captain Sandon the sum of money which I understand was paid to Captain Sandon; but I do not know it.

Do you know who that gentleman was? I do.

State who he was. Mr. Gilpin.

Who was Mr. Gilpin? An army clothier, and agent to the 48th regiment.

Do you know at what period this sum was lodged with Mr. Gilpin? I do not know that any sum was lodged with Mr. Gilpin; Mr. Gilpin, I believe, undertook to pay the money.

Do you know that Mr. Gilpin did pay the money? I do not further than having been told so.

Do you know, of your own knowledge, who did pay that money? I do not, nor when it was paid, nor how it was paid.

Who told you? Mrs. Clarke.

What did Mrs. Clarke tell you? She told me that she had received a sum of money for the promotion of Captain Tonyn to a majority in the 31st regiment.

Did Mrs. Clarke tell you what sum of money it was? I do not exactly recollect what sum it was.

Are you positive that you cannot recollect what sum it was? I am.

Did Mrs. Clarke tell you from whom she had received that sum? She told me she had received that sum, whatever it was, from Captain Sandon.

You have stated, that Captain Huxley Sandon told you that he had the power of getting promotion? He did.

State what passed upon that subject, as nearly as you can recollect, between Captain Huxley Sandon and yourself. Captain Huxley Sandon told me that he had the power of obtaining promotion through some gentleman a friend of his; but Captain Huxley Sandon never told me who the person was, through whom he did obtain the promotion, until I met him, and conversed with him upon this subject, in the room where the witnesses had been waiting near this house.

State who that person was, whom Captain Huxley Sandon named this night. Mrs. Clarke.

State whether Captain Huxley Sandon has ever stated to you his power of promoting officers, independent of this one circumstance of Captain Tonyn. At the same time he mentioned to me, that he could promote lieutenants to companies; I think captains to majorities; majorities to lieutenant-colonels; and in the first instance, he told me, it was in consequence of the new levies that were to be raised, or some augmentation to the army.

Did Captain Huxley Sandon ever speak to you about other promotions, unconnected with those new levies? He never spoke to me as to any other promotions than those I have mentioned now; I was imposed upon by the supposition, that it was new levies, or an augmentation to the army.

You do not, of your own knowledge, know of any other transaction of the nature in which Captain Huxley Sandon was concerned? I believe that a Major Shaw applied, and that I left his papers in the hands of Captain Sandon; but he could not obtain the promotion for Major Shaw.

What was the promotion Major Shaw wanted? Permission to purchase a lieutenant-colonelcy, or to get a lieutenant-colonelcy without purchase, by paying a sum of money for it.

And Major Shaw did not establish that wish? Not through that channel.

Through what other channel did he establish it? Major Shaw's papers were delivered back to me, and returned to Major Shaw. I believe they were brought to me by a Mr. Macdougall, as I recollect, and I believe they were returned to Mr. Macdougall. Some time afterwards, Mr. Macdougall asked me, if I could procure that promotion for Colonel Shaw. A lady had called upon me, and said, that she had an opportunity of promoting Major Shaw's wishes.

Who was that lady? Mrs. Hovenden.

Where does Mrs. Hovenden reside at present? In Villiers-street, York-buildings.

At what number? At No. 29.

Was that lady at the house with you the other night? She was.

Is Major Shaw now at the Cape of Good Hope? I really do not know, but I understood he got the promotion, and went to the Cape of Good Hope.

State whether, through the medium of this lady you have named, any other promotions have been effected in the army? Not to my knowledge; it may be necessary to explain the business of Major Shaw, because it was not through that introduction at that period that Major Shaw obtained that.

Was this the only circumstance of the sort that was carried through the medium of that lady? I know not of any that was carried, not even of that.

Do you know of any that through her medium was attempted? I have heard her say that some were attempted, but I cannot say what they were.

You do not know that any money was lodged, upon Captain Tonyn's attempt at promotion? I do not: I have already explained that Mr. Gilpin I understood, undertook to pay it, but that no money was lodged.

You have stated that Captain Sandon informed you that he had the means of promoting Lieutenants to companies, Captains to Majorities, and Majors to Lieutenant-colonelcies; in consequence of that information, did you negotiate such promotion? I did not negotiate any promotion through Captain Sandon, except that of Major Tonyn, by introduction.

Were you to receive any remuneration for that introduction? I was.

What were you to receive? 25*l*.

Did you receive it? I did.

Have you, since you were last examined, recollected any negotiation which you carried on for promotions in the army, besides those which you mentioned in your last examination? I have never thought of any.

Are you now certain that those were the only ones in which you ever engaged? I am not certain.

You have stated, that you learnt from Mrs. Clarke, in the year 1805, that she had received 500*l*.? No, I do not know the sum exactly.

That she received a sum of money in consequence of Major Tonyn's promotion; at what time of the year did you receive that information? It was in the month of May, 1805; Major Tonyn had been gazetted in August, 1804.

Where was it you received that information from Mrs. Clarke? At Mrs. Clarke's house in Gloucester-place.

On what occasion were you at Mrs. Clarke's house in Gloucester-place? I was there in consequence of a report which had been circulated, that I was the author of some scurrilous paragraphs against his Royal Highness the Duke of York. I had traced my information to Mrs. Clarke, and from her I traced it to Captain Sutton, but not the first time I saw her, and that was the reason I waited on Mrs. Clarke; I had no other introduction but that.

Did you receive that information at your first visit, or your second visit, or your third visit? At my second visit, as near as I can recollect.

Do you recollect any other conversation that passed between you and Mrs. Clarke at that second visit? I do not recollect the conversation; it was not of any consequence.

Did any conversation pass respecting promotions in the army? I do not recollect that any conversation passed relative to promotions in the army at that time; it might be so.

Do you recollect that any such conversation passed at any other time? I believe on the third visit.

What was that conversation? That Mrs. Clarke had been the means of promoting Major Tonyn.

You have stated, that you received that information at your second visit? I am not certain whether it was at the second or third; I do not say it was absolutely the second, but I believe it was; I had no expectation of being called upon, and therefore I made no minutes or memorandum of it.

Are you certain any conversation took place respecting Major Tonyn at the third visit? I am not certain whether it did or not; I know it did not on both meetings.

You have stated, that in your second visit to Mrs. Clarke, no conversation took place about military promotions, except that of Major Tonyn; did any such conversation take place at any other time? I believe it did, relative to Major Shaw.

Never as to any case but that of Major Tonyn and Major Shaw? Not in which I was concerned.

Are you sure you were never concerned in any other? I am not sure.

Did Mrs. Clarke at any time inform you, whether his Royal Highness the Duke of York knew any thing of the transaction of Major Tonyn's promotion? Mrs. Clarke never informed me of his Royal Highness's having known any thing of it, till November last.

What did she state to you in November last? She mentioned, amongst a number of other things, that she had been extremely ill: used by his Royal Highness the Duke of York; that in consequence of that, unless his Royal Highness did that which was right towards her, she would publish the whole of the transactions which had passed relative to promotions, during the time she lived with his Royal Highness.

But not relative to Major Tonyn's? Not particularly to Major Tonyn's.

Did Mrs. Clarke ever inform you that she had mentioned to his Royal Highness the Duke of York, that she had received a sum of money on account of Major Tonyn's promotion? Never till then, the month of November last; on the contrary, when I visited her in Gloucester-place, in the first instance, she, so far from mentioning his Royal Highness being privy to it, was so alarmed at my name being announ-

ed as a friend of Major Shaw, or any other person, that Major Shaw got his papers back immediately, gave Mrs. Howenden 10*l.* for them, and said he would have done with Mrs. Clarke, for that my name had prevented his promotion taking place; and in consequence of that, I had no more to do with Major Tonyn in his promotion, which I understood took place about twelve months afterwards, nor did I ever see him since, but once on Ludgate-Hill.

What did Mrs. Clarke say, in November last, on the subject of Major Tonyn? I have mentioned what she said of Major Tonyn, that she had received a sum of money, which she should publish among a number of other circumstances, unless his Royal Highness did that by her which she thought he ought to do.

What sum? The sum which she had received for Major Tonyn's promotion.

And that she had informed the Duke of York of it? No, never.

You have said, that General Tonyn recommended his son for promotion? I have said, that Major Tonyn informed me that General Tonyn had recommended him.

Do you know how long Captain Tonyn had had the rank of Captain in the army? I believe nine or ten years.

Can you tell in the course of your business, whether you do not know that that is a very long period for an officer to remain in the rank of Captain before he gets to the rank of Major? I understand, that a Captain of ten years standing is entitled, and generally receives, the brevet of a Major.

Are you certain that it was not by brevet he got his rank? I believe it was by augmentation, and not by brevet, for he was appointed to the 31st regiment; had it been by brevet, he would have continued in the 46th.

Have you not stated, that in your interview with Mrs. Clarke in November last, she informed you his Royal Highness was acquainted with the circumstance of money given for Captain Tonyn's promotion? She said that she should publish it, but she did not tell me that his Royal Highness was acquainted with it.

Was that in Gloucester-place that you saw Mrs. Clarke in November last? No, it was in Bedford-place.

[The following question and answer were read over to the witness:]

"Q. Did Mrs. Clarke ever inform you, that she had mentioned to his Royal Highness the Duke of York, that she had received a sum of money on account of Major Tonyn's promotion? A. Never till then, the month of November last."

Mr. Donnan. That is not what I mean to say.

Chairman. State how you wish that answer to be taken down. No; in November last Mrs. Clarke told me, that if his Royal Highness did not do that which was right by her, she would publish the case of Major Tonyn, with many others.

Did she, in November last, communicate to you, that she had informed his Royal Highness the Duke of York of her having taken a sum from Major Tonyn? She did not; she only threatened to publish that, with many other cases.

I understand you to have said, she was extremely anxious that it should not come to the ears of the Duke of York, when you saw Mrs. Clarke in Gloucester-place; is that so? It is.

What reason did she give for that anxiety? She said, that if his

Royal Highness the Duke of York should know of her having received any money for military promotions, that she should be disgraced, and the officer would lose his commission.

You are sure, upon your recollection, that that was the reason which was assigned? I am.

When Captain Sandon stated to you, that he had the means of obtaining promotions through almost all the gradations of the army, did he state to you any particular terms upon which those promotions were to be had? I recollect that he said, for a majority five hundred guineas; but I do not recollect that he stated the particulars of every commission.

Had you any reason, either at the time or afterwards, to consider Captain Sandon, in that business, as the agent of Mrs. Clarke? Never, till Mrs. Clarke herself told me so.

Did you visit Mrs. Clarke, in November last, by her own solicitation? It was by her own solicitation.

You have stated, that she used certain threats, unless conditions were agreed to; what terms did she state to be the terms of her forbearance? The payment of her debts, and the settlement of an annuity.

Did she apply to you, to participate in carrying those threats into execution? She did.

To what extent? I am afraid I should be obliged to implicate many persons, with whom she took very great liberties, in mentioning their names, as persons who were, in fact, instigating her to these acts.

State what Mrs. Clarke said to you, to induce you to participate in that business. Mrs. Clarke said that the Duke of York, unless he came to these terms, must be ousted from his command; that he would then retire to Ostlands, where he would soon cut his throat; that was her expression.

Was that all that passed? I endeavoured to prevail upon her to inform me who were her associates in the plot: her answer was, that if I would go with the tide, she would provide for me and my friends very handsomely, for in that case she would have a *carte blanche*, that would enable her to do more business than she ever had done: that was her expression.

Did she state to you who were her associates in this plot, as you term it? She said that she was bound to secrecy, though she longed to inform me; that was her expression.

Then how could you implicate others, if she did not inform you who they were? There was one or two persons, whose name she mentioned, as having offered her money for some papers.

Who were they? One was Sir Francis Burdett; she said that Sir Francis Burdett, about eighteen months before, had offered her 4,000*l.* for the papers, but that she would not then take less than 10,000*l.* I did not believe her.

Who were the others? I do not wish to mention.

[The Chairman directed the witness to answer the question.]

There was but one more; I do not choose to mention the other person.

[The Chairman informed the Witness, it was the sense of the Committee he must answer the question.]

It was Captain Dodd that she mentioned as the other person who wished to get the papers from her.

How was this to be carried into execution? She did not inform me.

You have stated, that if you gave names, you must implicate a number of people; how much further do you mean to go with the names to make out a number of people? I do not mean to go any further.

[The following words of the witness, in a preceding part of the examination, were read:]

"I am afraid I should be obliged to implicate many persons with whom she took very great liberties, in mentioning their names, as persons who were, in fact, instigating her to these acts."

Do you mean that two constitute the many you spoke of?

[The witness referred to a paper.]

What is that paper to which you are referring? Memorandums.

Do you mean that two constitute the many you spoke of? Two cannot constitute many.

Then name the others. I am in an error in that, in mentioning many.

What terms, or what consideration, did she inform you Captain Dodd had offered for the papers? She did not mention what he had offered for the papers, but that he had wished to possess the papers.

Do you know what situation Captain Dodd is in? I do not.

Does he hold any official situation, that you know of? I believe he does.

What is it? I do not know what it is that he holds, but, I believe he holds some official situation under his Royal Highness the Duke of Kent.

Do you, of your own knowledge, know of any other persons concerned in this transaction? I do not; I do not know that they are, further than the report of Mrs. Clarke; nor do I believe it.

You referred to some memorandums; why did you refer to them, and what do they contain? They contained some notes taken at different periods; I believe the best way will be to read the whole.

[The Witness was directed to withdraw.]

Captain HUXLEY SANDON was called in, and having been informed by the Chairman that he was to answer to such facts as were within his own knowledge, and not to those facts which he was acquainted with only from hearsay, was examined by the Committee, as follows:

Did you know Major Tonym? Yes, I did.

State what you know respecting his promotion from the 48th to the Majority of the 31st regiment. In an interview with Mrs. Clarke, she asked me if I had any military friends that wished for interest; if they had money, she thought she could get them promoted. At that period I did not know any body; but meeting with Mr. Donovan the next day, I asked him if he had any friends; he said yes, there was a gentleman in town that he thought would give a sum of money for a step; I asked him what sum he would give; he said he thought he would give five hundred guineas. I spoke to Mrs. Clarke upon the subject, and she said, by all means close with him. When I saw Mr. Donovan, I told him that I thought I could procure his friend the step that he wished for; upon which he produced a memorandum, signed by a Mr. Gilpin, of the Strand, for the sum I have mentioned, whenever he should appear in the London Gazette, gazetted as a Major. I believe it was near upon two months or ten weeks, I suppose it might be two months, when Captain Tonym, for I never had the honour of seeing

Captain Tonyn before that period, got tired that his promotion did not appear; he desired Mr. Donovan to call upon me, to say, that if I could not get the business finished, I had better return him his memorandum. I waited upon Mrs. Clarke, and told her what Mr. Donovan had said. She said, that he was a shabby fellow, that he was very much in haste, but that if he would wait quietly, she dare say it would be done, and desired me to say, that he had better wait a little. However, the next day I met Mr. Donovan, and I told him the interest that we had to procure the majority; had informed me that they had better wait a little. Mr. Donovan said, I am instructed by Captain Tonyn to say, you must give up your security immediately, for we are pretty clear, or, at least, I am pretty clear, you cannot get him gazetted; and another thing, General Tonyn has spoken to the Commander in Chief, and he has promised him the first majority that is vacant. I then begged to see Captain Tonyn; Mr. Donovan introduced me to him; he then told me the same; Sir, this business has been a long while upon the carpet, I do not think you can effect what you say you can do, and I desire you will give me up the security I gave you, for General Tonyn, my father, has procured a promise from the Commander in Chief, to give me a majority. I observed to him, that he had better wait a few days, for that I thought, in all probability, he would be gazetted. However, after arguing the point for a little time, he said, for two or three gazettes it does not signify, let the business go on, and if I find I am gazetted in a week or ten days, the business shall be as it originally was. However, to make short of the story, I believe it was the Wednesday when we were speaking, and on the Saturday or Tuesday following he was in the Gazette as Major,—the consequence was, I received the five hundred guineas, 500*l.* I gave to Mrs. Clarke, and 25*l.* to Mr. Donovan.

Do you of your own knowledge, know the promotion of Major Tonyn was owing to the interference of Mrs. Clarke? No, I cannot say any thing upon the subject.

Have you any, and what, reason to believe it was owing to the interference of Mrs. Clarke? I have no reason at all to believe it was owing to the interference of Mrs. Clarke.

Did Mrs. Clarke ever inform you, that she had procured the appointment of Major Tonyn from his Royal Highness the Duke of York? She certainly informed me, she had got him gazetted.

Do you mean by that, that she informed you, that she had got him gazetted by means of her application to the Duke of York? She always told me, she would get him gazetted, and, of course, it was through that interest, I imagine.

Did she state, that it was through the Duke of York that she obtained it? She told me yes, that it was through her interest; but whether it was or not I cannot say.

Do you believe that this was obtained through Mrs. Clarke's application to the Duke of York? I doubt it exceedingly.

Had you yourself no emolument from this transaction? I received five hundred guineas, 500*l.* I gave to Mrs. Clarke, and 25*l.* I gave to Mr. Donovan, which, I believe, makes the five hundred guineas. I had no emolument.

Did Mrs. Clarke send you a Gazette, announcing the promotion? I really do not know; I gave her the money the moment I saw it in the

Gazette; she had no occasion, for I watched the Gazette, and the moment I saw him gazetted, I took her the money.

You have stated, that you do not believe this appointment was effected by the interference of Mrs. Clarke; for what did you pay Mrs. Clarke the 500*l*? Because we had promised, upon his appearing in the Gazette as a major, for that was the way in which the note ran, that we were to receive the five hundred guineas, whether it was by her interest or General Tonym's did not signify, the note ran "on my appearing in the London Gazette, gazetted as a Major."

Did you apply to Mrs. Clarke for this appointment to be in the Gazette, and on seeing the appointment in the Gazette, she was to receive 500*l*? Yes.

General Tonym was promised the first majority that became vacant for his son? So Captain Tonym told me.

Did you receive, as a remuneration to yourself, any part of the 500*l*? No.

You have stated, that you delivered the 500*l*. to Mrs. Clarke, and the 25*l*. to Mr. Donovan; what advantage had you? Nothing at all.

[The witness was directed to withdraw.

GEORGE HOLME SUMNER, Esq. a Member of the House, attending in his place, made the following statement:

I have only to confirm the statement made by General Clavering, that I have no nephew of the name of Sumner, and that I believe there is no such person living in the Temple.

Mrs. MARY ANN CLARKE was called in, and having been informed by the Chairman, that she was to answer only those questions which she could answer from her own knowledge, was examined by the Committee, as follows:

Do you recollect recommending Captain Tonym of the 48th regiment, for a majority, to his Royal Highness the Commander in Chief? I do.

Do you recollect who introduced Captain Tonym to you for your recommendation? Either Mr. Donovan or Captain Sandon.

Do you recollect whether you were to receive any sum of money, provided Captain Tonym was gazetted? I do not recollect the stipulated sum, but I received 500*l*. when it was gazetted.

Did you make it known, when you recommended Captain Tonym to the Commander in Chief, that you were to receive any pecuniary consideration for his promotion? Yes.

How did you come by the Gazette you sent to Dr. Thynne? I suppose by the newspaper man.

Did you ever apply to General Clavering for a recommendation in favour of Lieutenant Sumner? Yes.

Are you acquainted with Lieutenant Sumner? No.

Who recommended Lieutenant Sumner to you? Mr. Donovan.

Do you recollect, whether you represented Lieutenant Sumner to General Clavering as being allied or connected with any particular person? Yes, with his relations.

What relations? His uncle.

Who was his uncle? Doctor Sumner.

Was that the only relation you mentioned to General Clavering? No Mr. Sumner the member also.

By whom was Lieutenant Sumner represented to you as the nephew of Mr. Sumner the member? He was nephew of the doctor.

What relationship was he represented as bearing to Mr. Sumner the member? I cannot exactly recollect, but it was cousin, or something in that way; that he was a relation.

Have you ever represented yourself as being under the protection of a Mr. Mellish? Neither him, nor any man.

Have you not represented yourself as being, at one time, under the protection of his Royal Highness the Duke of York? I really think that gentleman is more mad than the person that was committed last night.

[The Chairman informed the witness she must answer the questions, and not make irrelevant observations.

The whole of the gentlemen know that already, by the representation which has been given before.

Have you not represented yourself as being, at one time, under the protection of his Royal Highness the Duke of York? I do not know that I ever did represent myself so; people knew it, without my telling it.

What do you mean by saying, it was very well known already by what had happened? I do not recollect the name of any person that I ever represented myself to, as living under the protection of the Duke of York.

Will you positively say you do not recollect ever to have stated, that you lived under the protection of the Duke of York? Yes, I will positively say, that I do not recollect that I did, to any particular person.

Will you say, that you never represented yourself as being under the protection of any gentleman of the name of Mellish? No, I never did, nor any other.

You are positive of that? Quite so.

Did you ever make any representation to that effect? Never.

Did you never make any such representation to General Clavering? No, never; I will repeat what was said in my parlour; General Clavering was mentioning to me, one morning when he called, that Turf Mellish was just setting off with General Ferguson; I said, yes, I have been told so, that he had taken leave of the Prince the night before: he said that I was in a very good house, and something that contractors and beef went on very well: that was all that passed: I made no answer to that: I have many times heard the report, both of him and many others.

Do you recollect having conversation with Mr. Donovan, in November last, relative to the proceedings that are now taking place? No.

Do you recollect stating, in a conversation to Mr. Donovan, that if his Royal Highness the Duke of York would not come into your terms, you would publish all the transactions which had passed between you during the time you had lived together? No.

Did any thing to that effect pass between you and Mr. Donovan? No.

Did you ever try to induce Mr. Donovan to assist you in any purpose of exposing the Duke of York, or publishing those transactions

No; but I will repeat what he said to me in the Secretary's room the other night; he said, if he had been aware of what Colonel Wardle intended to have done, and he had called upon him and stated his intentions and behaved in a handsome manner, he would have put him into the way of proceeding, but as it was he should go entirely against the whole of it; that he might have given him many and many cases.

Is that conversation which took place the other evening in the Witnesses room, the only one you have ever had with Mr. Donovan concerning this business? The only one except what I wrote.

Was any body present when this conversation took place between you and Mr. Donovan in the Witnesses room? It was full of persons, but he spoke to me privately apart.

Did you ever mention Sir Francis Burdett's name to Mr. Donovan in any way connected with this subject? No.

Do you know Sir Francis Burdett? In what way; as an acquaintance or personally only?

Are you acquainted with him? I have seen him a few times.

Have you ever spoken to him or he to you? I told him I had been a little acquainted with him, very slightly.

Has Sir Francis Burdett ever written to you, or sent you a message? No he has not, not that I can recollect.

Did Sir Francis Burdett ever apply to you to procure from you any papers relative to the subject now under inquiry? Never once; nor have I had any sort of communication, nor heard or known any thing of Sir Francis Burdett since May last, and that was merely accidental.

Have you ever told Mr. Donovan, or any body else, that Sir Francis Burdett offered you money for some papers in your possession, or any thing to that effect? No.

Do you know Captain Dodd? Yes I do slightly.

How long have you known Captain Dodd? Since my living in his neighbourhood.

Do you often see Captain Dodd? What is meant by often?

More times than once, or how often? Yes, more times than once if that is often.

When did you see Captain Dodd last? I do not recollect; but I have no view in screening it at all; I am not ashamed of Captain Dodd, nor I dare say Captain Dodd of me, only perhaps just at this time.

Did Captain Dodd by any means demand or ask of you any papers in your possession relative to this transaction? Never; we have never talked about it.

Did you never represent to Mr. Donovan, or any other person, that Captain Dodd had tried to procure from you some papers relative to this transaction? Never to any one.

Did you ever express any wish to Mr. Donovan, that he would join with you or assist you in prosecuting this inquiry? Never.

Or any subject connected with the transactions now under inquiry? Never.

Do you know Colonel M'Mahon? Yes.

Did you ever write an anonymous letter to his Royal Highness the Prince of Wales? To shew Colonel M'Mahon in his proper colours, I will produce his notes here to-morrow evening.

Did you ever write an anonymous letter to his Royal Highness the Prince of Wales? I wrote a few lines to the Prince of Wales, stating that a person wished to see him, and Colonel M'Mahon called.

Did you sign your own name, or any name, to those few lines which you sent to the Prince of Wales? It was only a few lines without any name, and Colonel M'Mahon called in consequence; and when the servant opened the door, he asked who kept the house; Mrs. Farquhar, that was my mother. When he came up stairs into the drawing-room, he said, Mrs. Farquhar how do you do; what is the business; I told him, that I wished to see the Prince of Wales, and after a few minutes conversation, Colonel M'Mahon found that I was Mrs. Clarke; he then promised to communicate the message to the Prince, and the next day he brought me a very civil message from his Royal Highness, stating, that he was extremely sorry he was obliged to go out of town to Brighton, which he did do that morning, that it was impossible for him to interfere, that he had a very great respect for me, was sorry for the manner in which I had been treated, and that Colonel M'Mahon might use his influence with the Duke of York to be bearer of any message that might be the means of making peace; but that it was a very delicate matter for his Royal Highness to interfere with his brother. Several notes passed between Colonel M'Mahon and me, and several interviews. He mentioned to me that he had seen his Royal Highness the Duke of York at one time, I think in July, that the Duke of York asked him, if I was not very much exasperated against him, and if I did not use very strong language, and abuse him. Colonel M'Mahon said, quite the contrary, Sir, I assure you; Mrs. Clarke is very mild towards you, and she lays the whole of the blame on Mr. Adam; he said, she is very right, I will see into her affairs. That was the end of the first message. I think the last message that Colonel M'Mahon brought me was, that he could not bring his Royal Highness to any terms at all, to any sort of meaning concerning the debts, and although I had behaved so very handsome towards his Royal Highness, and had exacted nothing but his own promises to be put in execution, or even to take the sum that was due to me upon the annuity, and pay the tradesmen, and then I would let his Royal Highness off of the debts, as that perhaps would satisfy them; that he considered it as very fair, and very honourable, and very liberal, or he would not have been the bearer of those messages; and he said, he esteemed me very much, from the character I bore among my female acquaintances, that he was intimate with, I mean women of character, and for the services I had done to many poor young men within his knowledge; I will bring some of his notes, or give them to Colonel Wardle, to be read here to-morrow, to corroborate what I have stated.

Did you in November or December last, represent yourself to any persons as still having the power of procuring military promotions, or any other offices? No; but I recommended some that wanted promotion to a person.

Who was the person to whom you recommended them? I will mention his name; and I intended to have him here; but it cannot happen immediately, from some circumstances. I must beg to be excused naming him now.

[The Chairman informed the Witness that she must answer the question.]

If I answer the question, it will be impossible for me to produce him here; he will get out of the way; he will not come here.

[The Chairman informed the Witness that she must answer the question.]

Mr. Maltby, of Fishmongers' Hall.

Is Mr. Maltby the only person to whom you have made any recommendations since November or December last? Yes, except the letters I sent to General Clavering.

Have you represented yourself, at any time, since the close of the year 1806, as having it in your power to procure any promotions, or other offices? No; except through Mr. Maltby, which he can speak to, if they lay hold of him.

Have you had any communication with any other person than Mr. Maltby, relative to the procuring army promotions or offices? No; except what I have just spoken to.

What situation did you endeavour to procure through Mr. Maltby, and for whom? As I thought Mr. Maltby ought to be exposed in the whole of his conduct, I have not thought much about it; but I have letters at home I can bring forward, when I am called upon.

What situation did you endeavour to procure through Mr. Maltby, and for whom? I forget.

Do you not recollect any one of them? Not one.

Of the situations you endeavoured to procure so lately as November or December last? I am so little interested in it now, I cannot recollect.

Do you even recollect how many situations you endeavoured to procure? No.

Can you recollect whether they were army promotions, or civil situations? The letters I have at home can distinguish between them, but I cannot at present; besides, I wanted them for friends.

Who were the friends for whom you wanted these appointments? When they give me the liberty of using their names, I will communicate them.

[The Chairman informed the Witness she must give a direct answer to the questions, unless she objected to them, and appealed to the Chair.]

I certainly must object to them.

[The Chairman informed the Witness, that it was the opinion of the Committee that she should name the persons.]

I have already named Mr. Maltby; if he is brought forward perhaps he will name the persons.

[The Chairman again informed the Witness, that it was the opinion of the Committee that she should name the persons.]

One is Mr. Lawson; I cannot recollect the other.

Recollect yourself, and state to the Committee those persons whom you so represented as your friends, whose names you would communicate when you had their permission? That is one of them.

Who were the others? I do not recollect.

Why did you speak of friends, instead of speaking of a single friend? If you try to serve a person you call them your friends, if you interest yourself for them.

Do you stake the veracity of your testimony upon that last answer, that you recollect but one of those persons? I think that I ought to appeal to the Chair now.

[The Chairman directed the Witness to state the objection she had, and the Committee would decide upon it.]

He is a very respectable man, and he has been already very ill used, and I am afraid of committing him and his family.

[The Chairman directed the Witness to name the person whom she alluded to, as a respectable person.]

That is giving his name at once; really I cannot pronounce his name rightly, though I know how to spell it, and I must be excused.

Do you not know how to pronounce the name of your particular friend, whom you represented as a hardly-used man?

[The Chairman admonished the Witness that her present conduct was very disrespectful to the Committee.]

I mean to behave very respectfully, and I am very sorry if I do not; but I do not know but the gentleman may lose the money he has already lodged, if I mention his name.

[The Witness was directed to withdraw.]

The Chancellor of the Exchequer said, however it might be the wish of the Committee to make every allowance to the witness on the score of being a female, yet it was necessary she should not trifle with, or waste the time of the Committee, by shuffling, evasive, equivocating answers. If she did not answer, she ought to be committed.

Mr. Windham said, he did not wish to countenance any evasive answers, but what the witness had said seemed to him to be addressed to the Committee. She had stated that a person had been very ill used, and might suffer in consequence of her answering a question she did not fully comprehend.

The Chancellor of the Exchequer said, that any other witness who had been, for any other cause and examination, at the bar of that House, would have been committed half an hour ago if they had given such quibbling shuffling answers; and he hoped she would not be suffered to go on in the same way any longer.

[The Witness was again called in, and informed by the Chairman, that the Committee had considered her reason for declining to answer the question put to her, and was of opinion that she must answer the question.]

What is the name of the person you alluded to? Mr. Ludowick or Lodowick.

Has that gentlemen any other name but Ludowick? I do not know his other name.

Who is Mr. Ludowick? He is a gentleman, I believe he lives in Essex; that is all I know of him.

Whereabouts in Essex does he live? I do not know.

Who introduced Mr. Ludowick to you? I never was introduced at all.

How did you become acquainted with Mr. Ludowick? Through different friends.

Name the friends that recommended Mr. Ludowick to you. I cannot exactly name which it was in particular, but Mr. Maltby can tell if he is had before the House.

Name the friends that recommended Mr. Ludowick to you. I cannot name any one in particular; Mr. Maltby knows more of him himself than I do.

Is Mr. Ludowick the person whom you stated as having suffered enough already, whose name you were unwilling to tell? Yes.

In what has he suffered already? In lodging his money, and being a long while out of the appointment, meeting with frequent disappointments from day to day. At a future time, or after Mr. Maltby has been examined, I will mention the general-officer's name that he has made free with, I do not know whether correctly or incorrectly.

That who has made free with, Ludowick or Maltby? Maltby.

What disappointments has Mr. Ludowick suffered, to which you allude? I have already stated them.

What appointment has Mr. Ludowick been disappointed of? I believe two or three; first one was mentioned, then another; I cannot speak to one particularly.

Try to recollect any one of them, or all of them. I really cannot; when Mr. Maltby comes forward, he will be able.

Do you mean to state, that you cannot recollect any one of the appointments Mr. Ludowick has been disappointed of? One I can; but there have been three or four since offered to him, neither of which he has been able to procure.

Name that one. Assistant Commissary, I think.

Where has Mr. Ludowick lodged the money which you speak of, or with whom? As to that I cannot tell, but I can when I look over my papers at home.

Do you say positively that, without looking over your papers at home, you cannot say where this money is lodged? Yes, I do.

How much money has Mr. Ludowick lodged? From 800 to 1000 pounds.

Who was the general-officer whose name Mr. Maltby represented himself as having made use of? Is that a fair question?

[The Chairman informed the Witness that she must answer the question.]

Sir Arthur Wellesley; and one of the excuses for one of the appointments not taking place, was, Sir Arthur being so deeply engaged in the investigation at Chelsea. If this is not true, I'm doing Sir Arthur a great service by bringing it forward.

What appointment was it that was so delayed, by Sir Arthur being so much engaged? I believe it was this first, that of Assistant Commissary, but I am not sure.

For whose use is the money lodged? I do not know, but I can tell by looking at my papers.

You have certain papers at home, which will enable you to state to the Committee for whose benefit the sum of money in question is now lodged, and where it is lodged? Yes.

How came you to be in possession of those papers? They will shew for themselves when I produce them, better than I can explain it.

How came you in possession of those papers? From Mr. Maltby.

Was it Mr. Maltby that introduced Mr. Ludowick to you, or you Mr. Ludowick to Mr. Maltby? I do not think they have ever seen each other, not that I know of.

Did you first mention Mr. Ludowick's name to Mr. Maltby, or did Mr. Maltby mention it first to you? I to Mr. Maltby; I believe he has been in the habit of acting as agent for these ten or dozen years in this sort of way.

Has Mr. Maltby made use of the name of any other person besides Sir Arthur Wellesley? He has written very pointedly to that to me, and spoken besides.

Has Mr. Maltby made use of the name of any other person besides Sir Arthur Wellesley? I cannot recollect at present; but shall, at a future time, if I am here, and will state it.

Where did you form your friendship for Mr. Ludowick? I have already said, that any man that I interested myself for, I considered as a friend; I am not intimate with him.

How came you to interest yourself for Mr. Ludowick? From a friend of my own.

Who was that friend? Mr. Barber.

Where does Mr. Barber live? In Broad-street, in the city.

How long have you known Mr. Ludowick? I do not know him, but by means of his family.

Do you mean to say that you have never seen Mr. Ludowick? No, I did not mean to say that.

Where have you seen him, and when? I have already said, I do not know him; I might have seen him, and not have known him.

Have you ever seen Mr. Ludowick or not? I cannot tell, as not knowing his person.

About what time was it that this Commissariat appointment began to be in negotiation? I cannot remember, but the papers will date it exactly.

What year? Last year.

Can you recollect what part of last year? No, I cannot.

What kind of papers are those you allude to; are they letters? I do not know what they are.

Do you mean to say, that you do not know at all what kind of papers they are? They are papers written on.

Are they letters or securities? They shew what they are; I cannot exactly speak to them; I will give them to Mr. Wardle to-morrow.

You have said that those papers will inform the committee of all the particulars of this transaction? How can you say that, if you do not know what those papers are? Because I do not know how to describe them exactly.

Do you recollect their contents? No, I do not; but I know there are a great many letters from Mr. Maltby, and something about the bankers; enough to shew the whole of the transaction.

Do you recollect to have stated to Captain Donovan, that if his Royal Highness the Duke of York was informed of your ever having received any money, it would be your ruin? Never to any person whatever.

Through what channel, or by whose influence, did you propose to Mr. Ludowick, or the agent employed by Mr. Ludowick, to procure the situation that he required? Mr. Barber will recollect that; and he is a very honourable man, and will speak the truth, and I believe he knows the parties.

Who was the person whom you held out yourself as having such influence over, as by that influence you could procure the situation desired by Mr. Ludowick? I do not think that any one was held out, I fancy they guessed the Duke of York, but no one was held out; and I think it is very likely that Mr. Donovan supposed the Duke of Portland; but I mean here to say, that he is not at all connected. And the office that Mr. Wardle mentioned in the city I know nothing at all about; I was very sorry to see Mr. Wardle had mentioned such a thing, because every one who knows the Lord Chancellor, must know that, besides being one of the highest, he is one of the most honourable men in England; and if there are any insinuations about the Duke of Portland, Mr. Maltby is the Duke of Portland—He is my Duke of Portland: I mean entirely to clear myself from holding out any insinuations against the Duke's character. Mr. Wardle accused me once of going into the Duke of Portland's, and that he had watched me in; I told him I was not in the habit of going in there, and I laughed at him; and afterwards somebody told him it was Mrs. Gibbs; more likely Mrs. Gibbs than me. I wish to do away the two stories of Mr. Mellish and the Duke of Portland before the honourable gentlemen.

Am I to understand you, you never did give out to any person, that you had access to or influence with the Duke of Portland? No, I did not; I fancy that once I laughed very much about some sort of birds, with Mr. Donovan; but I mean to say, I never did use his name.

How long have you known Mr. Lawson? about four months, or five months.

Who introduced Mr. Lawson to you? he is a piano-forte maker.

What office has he been soliciting? I do not recollect, I cannot tell what; it is something that Mr. Donovan has been concerned in as well; something at Savannah la Mar.

What appointment did you solicit for Mr. Lawson? one of those places; there are a number of them; but Mr. Maltby can speak to it; I fancy he has been lodging money lately, within this very short time, within this fortnight, perhaps.

Where? I do not know, but Mr. Maltby knows; it is some concern of his.

What makes you think that he has deposited a sum of money within this last fortnight? because he told me he was going to do it.

When did he tell you so? about a fortnight since.

Where did you see him when he told you so? At my own house.

With whom did he say, he was going to deposit it? he did not say with whom; but Mr. Maltby had some more of these men, who had to be concerned in it, and he was to lodge it with his bankers.

With whose bankers? Mr. Maltby's, I suppose.

How long have you known Mr. Sandon? Ever since Colonel French's levy.

Was that the first knowledge you had of him? If he did not come about Colonel French's levy, he came about some other appointments; I should rather think he brought me a list of officers for appointments, instead of the levy first.

Did he come to you voluntarily, or did you send for him? I could not send for him; for he gave Mr. Corri 200*l.* for an introduction, him and Colonel French.

Was that before Captain Tonym's recommendation? Yes.

How much had Mr. Sandon out of the money paid by Captain Tonym? I never inquired.

He had no part of the five hundred guineas, had he? No; I should not wonder but what he had eight or nine from Captain Tonym, it was something more than the five, or else Mr. Donovan had.

He got more than you did by that transaction then? No, not that; I state it at eight or nine, and he gave me five; but I do not know that he had that.

What makes you think that he had it? I think he must have had something, or he would not have troubled himself in the business.

What do you suppose he had about Colonel French's levy? Colonel French told me, that he stole half.

You stated in your examination yesterday, that you were at the Opera with a Lord Lenox and some other gentleman; how long have you known Lord Lenox? I never knew him at all.

I understood you to have stated in your examination yesterday, that you were at the Play or Opera with Lord Lenox and Sir Robert Peate? I said I was along with Sir Robert Peate, and an old gentleman came in with this Mr. Williams, and they said that was Lord Lenox and Mr. Williams. Sir Robert Peate said that.

You mean to say you did not know this Lord Lenox before you saw him at the play that night? No I had seen him driving about town, and knew it was the man they called Lord Lenox, but never spoke to him before.

Are you positive you never spoke to him before? Quite.

[The witness was directed to withdraw.

GWYLLYM LLOYD WARDLE, Esq. attending in his place, was examined as follows:

Did you ever reproach the last witness with going to the Duke of Portland? I had heard that she had been there; and I wondered what she could be doing there; so far I did reproach her.

Who told you that she had been at the Duke of Portland's? I heard it at the office I mentioned in the city; a person described her person, and they said there was a tidewaiter's place to be sold, they believed;

but they were not certain; it depended on an application then making by a lady to the Duke of Portland; I went again in a few days; they described a person excessively like Mrs. Clarke, and when I saw her I questioned her about it, and said if it was so, she was doing very wrong.

Do you know Mr. Maltby? I have seen him once, I think, at Mrs. Clarke's.

Did you ever endeavour to trace the transactions carrying on by Mr. Maltby? I did in some measure; but I could not at all succeed; he would not commit himself at all to me; I endeavoured to catch him upon one point, but he would not open to me at all.

Were you aware that the witness was employing Mr. Maltby in these transactions? I merely understood from her that he was employed in one business, which I endeavoured to find out, but I endeavoured in vain; I could not get him to open at all.

Did she state to you that it was the business in which she was concerned? No she did not; she merely mentioned that he was about business, I forgot the name now, I was excessively anxious to find it out.

Did she ever mention to you the business respecting Mr. Ludowick? I do not know that ever she did; I do not know the name at all, but I really think she said that he was in the habit of doing it for a number of persons; one case she mentioned, and I endeavoured to sift it to the bottom.

Did she ever shew you these papers she has referred to? No, she did not; I think I saw one or two notes to her about the thing I endeavoured to find out, but it has escaped me what it was; it is several weeks ago, and I have had so much upon my mind, that after an attempt or two, it is impossible to recall it.

Colonel GORDON was called in, and examined by the Committee, as follows:

Have you brought with you the official documents respecting the appointment of Major Tonyn? Yes, I have.

State to the Committee what you know upon that subject. I hold in my hand the first recommendation upon the subject of Captain Tonyn—Major Tonyn: with the permission of the Committee, I will read it.

[Colonel Gordon read a letter, signed Patrick Tonyn, dated the 27th of June, 1803.]

“ May it please your Royal Highness.

“ Sir,

“ In the present period of extension of his Majesty's forces, I beg leave to recommend the 48th regiment to your Royal Highness's consideration.

I hope it will not be thought I presume too far to say, Captain Tonyn for some time past has commanded the 48th at Malta; and with great submission, I likewise venture to mention Lieutenant Tonyn: And I most humbly petition your Royal Highness, graciously to condescend to grant my sons your royal protection.

FEB. 10.] COLONEL GORDON'S EXAMINATION. 405

"With most profound and dutiful respect, I have the honour to remain, with all submission,

"Sir,

"Your Royal Highness's

"Most devoted Servant,

"PAT. TONYN.

"Park-street, 27th June. 1803.

"Indorsed: London, 27th June, 1803.

"General TONYN."

"Promoted to a Majority in the 31st Regiment,
upon the formation of a second Battalion, in
Aug. 04—without purchase."

(Inclosure.)

"His Royal Highness will be glad to consider the General's two sons on favourable opportunities for promoting them."

General Tonym was an old officer? One of the oldest officers, I believe, at that time in the army. The answer to that letter is dated the 29th of June, 1803.

[Colonel Gordon read it.]

"Horse Guards, 29th June, 1803.

"Sir,

"I have to acknowledge the receipt of your letter of the 27th instant, recommending to me your sons, Captain Tonym and Lieutenant Tonym of the 48th regiment; and I request you will be assured that I shall have much pleasure at a favourable opportunity, to pay every attention in my power to your wishes in their favour.

I am, &c.

(Signed)

"FREDERICK,

"Commander in Chief.

"General Tonym, &c. &c. &c."

Indorsed:

"Copy of a letter from H. R. H. the
Commander in Chief to General Tonym,
29th June, 1803."

The next document upon this subject appears to be a memorial from Captain Tonym himself.

[Colonel Gordon read it.]

"To his Royal Highness the Duke of York and Albany, Commander
in Chief of his Majesty's Forces.

"The Memorial of George-Augustus Tonym, Captain in his Majesty's
48th Regiment of Foot,

"Humbly sheweth,

"That your memorialist has been near twenty-four years an officer; fourteen of these in actual service with the 48th regiment, on all its various stations, in the West Indies and the Mediterranean.

"That your memorialist, being the senior captain present with the regiment, most humbly implores your Royal Highness's protection; and that your Royal Highness will be pleased to recommend him to his Majesty's royal favour; that his Majesty may be graciously pleased

to grant him promotion to the rank of major, in such manner as your Royal Highness may think fit.

"And your memorialist, as in duty bound, will ever pray."

Indorsed:

"Memorial.

"George-Augustus Tonyn,
Captain 48th Regiment,
March—1804."

(Inclosure.)

"C. L."

"Captain Tonyn to be noted for promotion, and acquainted that his Royal Highness will be glad to consider him on a favourable opportunity.

"J. G."

This Memorial is without date, but it was received in March, 1804. The answer to that memorial I hold in my hand.

[Colonel Gordon read it.]

"Horse Guards, 15th March, 1804.

"Sir,

"I have the honour, by the Commander in Chief's commands to acknowledge the receipt of your memorial without a date, and to acquaint you, in reply, that your name has been noted for promotion; and his Royal Highness will be glad to consider you on a favourable opportunity.

"I have, &c.

(Signed)

"W. H. CLINTON.

"Capt. Tonyn, 48th Foot, 118, Park-street."

Indorsed:

"Copy of Lieut. Col. Clinton's letter to Capt.

"Tonyn, of the 15th March, 1804."

The document I hold in my hand relates to the promotion of Lieut. Tonyn, alluded to in the first letter of General Tonyn: it remains with the Committee to decide whether that is to be read.

Was not General Tonyn colonel of the regiment at the time he made the application in favour of his sons? Yes, he was. These are all the documents that I have, with respect to Major Tonyn. It appears, that in the month of August, 1804, a very large augmentation was made to the army, consisting of no less than fifty battalions; in the formation of those battalions I received the orders of the Commander in Chief to prepare a list of the senior officers of the army, generally, of each rank, and to take their names from the book of recommendations, where they had been noted. In consequence of this command, I did prepare a list, and submitted it to the Commander in Chief; and, in that list, in the same list with Major Tonyn's name, there were fifty-three officers appointed to majorities; namely, eleven majors removed from other corps, or from the half-pay; thirteen brevet majors; twenty-nine captains. Of those captains seven were captains of the year 1794, nine were Captains of the year 1795, (amongst them was Captain Tonyn) five were captains of the year 1796, seven of the year 1797, and one of the year 1799. I have mentioned that Captain Tonyn was a captain of 1795, there were only six captains in that year senior to him in the service. That is all I know on the subject of Captain Tonyn's promotion.

FEB. 10.] COLONEL GORDON'S EXAMINATION. 497

It appears that in the letter of General Tonyn he recommends two of his sons; can you state any thing with reference to the other son? On the 30th of May, 1804, General Tonyn writes again:

[Colonel Gordon read the letter,].

" Sir,

" I have the honour to transmit a letter from Captain Long of the 48th, requesting his Royal Highness the Commander in Chief's permission to sell his company, having purchased. I humbly beg leave to recommend Lieutenant Charles-William Tonyn to his Royal Highness the Duke of York's favourable representation to his Majesty; humbly praying, that he may be graciously pleased to grant him leave to purchase Captain Long's company, the money being lodged with the agent for the same; as all the officers standing before him in the corps have declined the purchase.

" Give me leave, Sir, to beg the favour of your good offices in behalf of my son, whose declaration I have the honour herewith to inclose, and that you will have the goodness to implore for him his Royal Highness's gracious protection. I have the honour to remain, with all respect,

" Sir,

" Your most obedient, and

" Most humble servant,

" PAT. TONYN.

" 118, Park-street, 30th May, 1804."

Indorsed:

" 48th Foot, Lieut. Tonyn,
Mem. 2d June, 1804."

(Inclosed 1.)

" Mallow, 15th May, 1804.

" Sir,

" Circumstances of a peculiar nature have lately occurred that oblige me to retire from the service, I have sent in a memorial to the Commander in Chief to be allowed to sell my commission at the regulated price. I take the liberty of informing you, as early as possible of my intentions, as I have been given to understand your son would succeed to the promotion by purchase. Should that be the case, if you you will have the goodness to lodge the money in the hands of Mr. Gilpin the agent, and give me the earliest information, in order that the business may be forwarded with as little delay as possible, you will ever oblige,

" Sir,

" Your very obedient, humble servant,

" E. S. LONG, Capt. 49th. Regiment.

" General Tonyn, 118, Park-street,
near Hyde-Park, London.

Indorsed:

" Capt. Long.

" 48th Regiment.

" 15th May, 1804.

" R - - - 23d May."

" All officers concerned, have declined purchasing."

(Inclosure 2.)

" Sir,

" I beg you will be pleased to obtain for me, his Majesty's permission to purchase Captain Long's company in the 48th regiment of foot.

" In case his Majesty shall be graciously pleased to permit me to purchase the same, I do declare and certify, upon the word and honour of an officer and a gentleman, that I will not, now, or at any future time, give by any means or in any shape whatever, directly or indirectly, any more than the sum of 1,500*l.* being the full value of the said commission, as the same is limited and fixed by his Majesty's regulation.

" I have the honour to be,

" Sir,

" Your most obedient and

" most humble servant,

" E. W. TONYN,

" Lt. 48th Regt.

" To the Colonel or Commanding Officer
of 48th Regiment."

" I beg leave to recommend the above; and I verily believe the established regulation, in regard to price is intended to be strictly complied with; and that no clandestine bargain subsists between the parties concerned.

" PAT. TONYN,

" General and Colonel.

" 29th May, 1804."

The inclosure is the letter from the young man himself.

Did all the officers who were promoted at the time Major Tonym was promoted, receive their promotion into the new corps without purchase? Into the new corps most certainly.

All the new Captains, those that were promoted in the augmentation of the army? Yes.

Did many of them appear in the same Gazette with Major Tonym? I have stated, that there were 53 field officers in the same Gazette, and I should imagine, without counting them, there could not be less than 200 officers altogether; the paper is now in my hand.

At the time this great augmentation took place, and lists of officers were preparing in the office of the Commander in Chief, were those lists a secret, or was it in any one's power, on referring to the clerks, to see those lists? I endeavour to keep those things as secret as I possibly can, but in so large a proportion, it is impossible for me to say the secret was exactly kept.

Previous to the gazettement of those commissions which have been alluded to, when the list was completed, or nearly completed, was it possible to keep the secret so far, as to prevent the contents of those lists being more or less known? I do not think it was.

Give the Committee some account of the purchase and sales of commissions in the army, the manner in which that business is transacted, and in whose hands the purchase money is lodged. I have already stated to the House, and it is in evidence before the Committee, that the same rules apply to the promotion of officers by purchase, as without; but in order to insure the greatest possible re-

gularity, every regiment in the service is ordered to transmit a return quarterly, of the number of officers in each regiment disposed to purchase, and to mention in such return where the purchase money is to be had; those returns are entered in a book in the Commander in Chief's office, and in the event of a vacancy those returns are invariably referred to, and the officer senior upon the list, if in all respects eligible, is invariably recommended, provided it does not interfere with other officers of greater pretensions.

In whose hands is the purchase money deposited or lodged? Before a recommendation is submitted to his Majesty for purchase, it is necessary that a paper should be sent to the Commander in Chief's office from the agent, stating that he is satisfied that the money will be forthcoming when the commission is gazetted. It is not necessary, and it is so gone forth to the army, as is stated in a paper upon the table of this Committee, that the officers are not called upon to lodge the money in the agents' hands, but they are only called upon to notify to them, that it will be forthcoming on the promotion being gazetted.

Does any part of the money relating to the sale of commissions pass through the hands of the Commander in Chief, or has the Commander in Chief any controul over that money? None whatever.

Can you state from your knowledge of the business of the office, what is the average amount of the purchase and sale of commissions in the course of a year? The average amount for the last three years, annually, exceeds considerably four hundred thousand pounds.

Give the Committee some account of the origin of purchases and sales of commissions in the army, and the effect that they have upon the army? I believe that the origin of the purchase and sale of commissions arises pretty much as follows: In every other service in Europe it is understood that the head of the army has the power of granting pensions to the officers of the army, in proportion to their rank and services: no such power exists in the head of the army in this country; therefore, when an officer is arrived at the command of a regiment, and is, from long service, infirmity, or wounds, totally incapable of proceeding with that regiment upon service, it becomes necessary to place a more efficient officer in his stead. It is not possible for his Majesty to increase the establishment of the army at his pleasure, by appointing two Lieutenant-Colonels where one only is fixed upon the establishment; nor is it consistent with justice to place an old officer upon the half-pay, or deprive him altogether of his commission; there is therefore, no alternative, but to allow him to retire, receiving a certain compensation for his former services; what that compensation should be, has been awarded upon due consideration, by a Board of General Officers, that sat, I think, forty or fifty years ago, somewhere about 1768 or 1763; they taking into consideration the rank, and the pay of each rank, awarded a certain sum that each officer, who was allowed to retire, should receive upon retiring; that sum is called, "the regulation price of commissions. The bearing that this has upon the army, is a very extensive question, but there can be no doubt that it is extremely advantageous for those officers who cannot purchase. I cannot better illustrate it to the Committee, than by stating an example: we will suppose, of the first regiment the third Captain cannot purchase; the first and second can: if those two officers could not purchase, it is very evident that the third Captain would remain much longer third Captain, than if they were removed out of his way, by purchase in the

great body of the army; and if no officer can be allowed to purchase, unless he is duly qualified for promotion without purchase, there cannot possibly be any objection to such regulation, nor can it be said that any unexperienced officer is appointed by purchase over the heads of others better qualified than himself, no officer being allowed to purchase, but such as is duly qualified by his Majesty's regulations.

Upon the whole, you consider the present mode in which purchases and sales of commissions is limited as advantageous to the service? As a matter of opinion I certainly do.

You have stated, upon the former examinations, the manner in which the business is transacted at the Duke of York's office; in the course of your transacting business with the Duke of York, in regard to forming lists of commissions for the approbation of his Majesty, do you ever remember the Duke of York taking a paper-memorandum, or a list of officers out of his pocket, and putting it into your hand, with an intimation that that list was to be considered out of the usual course? I never recollect any such instance: I take this opportunity of stating, that since I have had the honour of serving his Royal Highness the Duke of York, I have stated it often before, I never recollect any one solitary instance, in which the Commander in Chief has ever taken any paper out of his pocket and put into my hands, saying, "this man must be an Esquire, this a Lieutenant, and this a Captain; but all recommendations have come regularly through their proper channel, and I do not think there is any one instance to the contrary."

In the first document you gave in, the former night, with respect to Captain Maffing, there is marked in the printed paper, in italics, the initials *C. L.* with the words "agreed to;" what is the meaning of those letters *C. L.*? My first assistant is Colonel Loringe, *C. L.* are the initials of his name, and "agreed to" is put, and it then passes into his hands, and is acted upon.

Is the entry marked with the initials *C. L.* the definitive entry with respect to any recommendation that comes before you? No, it is not.

If any alteration takes place afterwards, in what way is that noted? It is commonly noted in the same manner upon the same paper.

With the same initials? When the initials are once put there is no occasion to put them again, the paper invariably passes through this same channel.

Is it usual when a recommendation is delayed in the office for want of sufficient information, but not definitively stopped, to mark that in the same way with these initials, *C. L.*? I commonly put a memorandum upon every paper that passes under my hands.

How would you mark a recommendation in that predicament if the paper was to be considered, I should say so; "to be considered."

If further inquiries were to be made, what would you say? I should probably say, "to be considered," or very probably, "cannot be acceded to." It is almost impossible for me to state the precise terms I should adopt them according to circumstances.

Would you state "not to be acceded to," when it was not determined that the recommendation should not be acceded to, but only delayed, while further inquiries were making? If the paper was not to be acceded to, I should say, "not to be acceded to;" but it does not follow that though it was not acceded to then, it might not be in a month afterwards, or three weeks afterwards.

If the only reason for not acceding to the recommendation at that

time was the want of information, and that inquiries were making to obtain that information, would you mark "not acceded to?" It really might or might not; it seems to me, as I conceive it, a matter of perfect indifference.

How are the first Commissions in the army commonly disposed of? the first Commission that an officer receives? Invariably without purchase unless for some special purpose.

Are those first commissions in the patronage of the Commander in Chief? Yes, they are, exclusively.

You have stated, that officers purchased according to their seniority, unless there were superior pretensions; do you mean in junior officers; will you explain what you mean by that? Suppose there was a vacant company in a regiment, and a lieutenant in that regiment was willing to purchase, it does not quite follow that the Commander in Chief would permit that lieutenant to purchase, although he might be very eligible, because there might be other officers still more deserving than him in the army.

Do those circumstances in point of fact frequently happen? Continually.

Within these late years, have not a vast number of commissions been given to the officers of the militia, both in Great Britain and Ireland? Yes, to a very considerable extent.

What is the practice of the Commander in Chief's office, when an application is made, by any gentleman either in Great Britain or Ireland, by memorial or otherwise, for a commission for his son or relation? It is the practice in the Commander in Chief's office to answer every paper that comes in, without exception. When any officer, or any gentleman, makes an application for an ensigncy, that application is invariably answered, and the common answer is, "that the name of the applicant is noted, and will be considered as favourable opportunities offer;" the name is then put down in a book, and the letter is put by.

Is it the practice in the Commander in Chief's office particularly when applications come from Ireland, to refer these applications to the General Officer commanding in the District from which they may have come? The applications from Ireland are not considered regular, unless they come through the officer commanding the forces there, or through the civil channel of the Secretary of State.

Amongst the documents that you have given in, with respect to Major Tonyn, is there a document similar to that just alluded to, indented C. I. "agreed to," or any thing of that kind?

[Colonel Gordon referred to the document.]

C. I.

"State Captain Long's services.

Es.	Liverpool Regt.	2d Oct. 1795 Origl.
Lieut.	65th.	6th Jan. 1796 by P.
Lieut.	18th. Drag.	31st Jan. 1799 by Exc.
Capt.	48th.	9th Mar. 1803 by P.
		10th Sept. 1803 by Exc."

It amounts to the same thing; it is a slip of paper. This was the mode of transacting business by my predecessor: I generally do it upon the corner of the letter; I think it better, because this is liable to be lost, that would not.

Do you mean that commissions in new-raised regiments are always given away, or the ensigncies are always given away? The answer that I gave to the former question, I mean to stand exactly as it does; and I beg to explain, that there is no such thing as original commissions purchased; there are many ensigns commissions for sale, but they are private property arising out of the explanation that I gave to a former question: for example, a Captain sells his commission, that is, he sells his company; a Lieutenant buys that company; an ensign buys that lieutenancy; both of which are the captain's property; the ensigncy then becomes vacant, of course, by purchase.

In point of fact, was the application of General Tonyn, in regard to his second son, successful? I think it will be found on reference to the document, that the services of the second son of General Tonyn were not so long as those of the eldest son; and the general recommended the second son for purchase; and that he actually was promoted, I believe it will be found on reference to the dates, before the eldest son.

You have stated, that when this large promotion took place, in consequence of the augmentation of the army, you were directed by his Royal Highness to lay before him a list of officers to be promoted into this augmentation, to be taken from the oldest officers of their respective ranks in the army; are you quite sure that the name of Captain Tonyn was included by you in the list you laid before the Commander in Chief, or was his name suggested as addition and alteration in that list by the Commander in Chief? I recollect perfectly well the circumstances of that levy; it was at a period of the additional force act; and the names, upon the list which I submitted to the Commander in Chief, I really believe, were written, almost without exception, with my own hand. I had one assistant to assist me in making out the list; but I really believe, that the rough paper was actually written with my own hand.

Do you answer that you are certain you included Captain Tonyn's name in the list you submitted to the Commander in Chief, as being one of the oldest officers in the army in that class for promotion? As certain as I can be of a thing that I could not possibly take my oath of.

To the best of your recollection? O, certainly.

If the name of Captain Tonyn had been introduced by the Commander in Chief, having been omitted by yourself, would not you have recollected that circumstance? Yes, I think I should; it is in evidence before the Committee, on my first examination; I believe.

Do you not put a mark upon all papers, upon which any thing is done or to be done? It is my constant practice to make a mark upon every paper, without exception, that comes into that office: I mean to say that generally; many papers may escape me, but that is my general practice.

According to what is done, or to be done? What is to be done.

State whether the Commander in Chief has not been in the habit of attending to recommendations by colonels of regiments for ensigncies in their particular regiments, provided the gentlemen recommended were certified to be eligible and fit for service, and ready to join their regiments? Yes, certainly; but in giving my evidence before this House, I think it my duty to state, that the Commander in Chief does

not consider that the patronage of the regiments in any manner whatever devolves upon the colonel.

[The witness was directed to withdraw.
The Chairman was directed to report progress, and ask leave to sit again.]

HOUSE OF LORDS.

MONDAY, FEB. 13.

On the motion of Lord Moira, there were ordered to be laid before the House an account of sums paid into the Exchequer, during the year ending the 5th of January last, being the produce of penalties, or compositions for penalties, for breaches of the revenue laws; and an account of the net produce of the revenue, in its respective branches, paid into the Exchequer during the same period.

Adjourned.

HOUSE OF COMMONS.

MONDAY, FEBRUARY 13.

Mr. Whitbread moved, in the usual form, that there be laid before the House, copies of any proceedings in the American Congress, since the commencement of their present meeting, that have been transmitted to his majesty's ministers, respecting the intercourse and commerce between the United States and Great Britain.

Mr. Whitbread gave notice, that he would move tomorrow for a copy of the treaty between his Majesty and the King of Sweden; and also for copies of the correspondence which passed between Mr. Madison and Mr. Rose, during the official residence of the latter in America.

Lord H. Petty gave notice of his intention to move tomorrow, for a copy of any written communication from government to Sir Hew Dalrymple, after his return to England, respecting the transactions in Portugal.

THE COMMANDER IN CHIEF.

The House on the motion of Mr. Warble, resolved into a Committee for further inquiry, respecting the conduct of the Duke of York.

MR. ROWLAND MALTBY was called in, and examined by the Committee, as follows:

Where do you live? At Fishmongers'-hall.

What is your profession? A Solicitor.

Are you acquainted with Mrs. Clarke? I am.

How long have you been acquainted with her? I think about July or August, 1806. If you will give me leave, I will state the way in which I became acquainted with her: it was through the medium of Mr. Russell Manners, who was a member of the last parliament; he married a sister of my wife's; he told me that he had been introduced to Mrs. Clarke, who had professed an interest in him, and that she would endeavour to get a place for him through the means of the Duke of York, and he wished to introduce me to her. Under those circumstances I did not know how to refuse him, and I accordingly met her at his house. I believe I saw Mrs. Clarke perhaps five or six times in the course of that year; afterwards I did not see her again till a court martial for the trial of Captain Thompson.

In the year 1806, when you saw Mrs. Clarke, what business did you transact with her; what passed between you and her on the occasion of your being introduced? No business, only a common acquaintance.

Did you hear any more on the subject of the place she was to procure for Mr. Manners? I understood that she shewed Mr. Manners a letter, stating that the Duke was inclined, or would comply with her request: I speak merely from memory, as it did not interest me.

Did you see that letter? I am not quite certain about it, whether I did or not, but I remember the contents.

Do you remember from whom that letter purported to be received? It purported, as Mr. Manners told me, for I am not certain whether I saw that letter, to come from the Duke of York.

At what time of the year 1806 did you hear of or see that letter? I think it was very soon after I saw her; July or August, to the best of my recollection.

Did you hear from Mrs. Clarke at what time her connection with the Duke of York broke off? No, I do not think she ever mentioned any thing on the subject to me. I was led to believe it continued, from what she said to me in conversation.

In July and August she still represented to you that her influence over the Duke of York continued? I understood from her, that the connection was not entirely broken off, that she occasionally saw the Duke.

Did you in the course of the year 1806, hear from her any thing respecting the obtaining of any places for any body? Not to my recollection.

I understand you have said, that from the year 1806 to the year 1808, you did not see any thing more of her? To the best of my recollection, not till the court martial in April.

Have you, since that time, had any communication with Mrs. Clarke upon the subject of obtaining places for any one? Yes.

When? I will explain: As a reason for my keeping up a connection with Mrs. Clarke; Mr. Manners had a regimental account to settle as ~~Colonel~~ of General Manners, which was likely to be procured through the medium of the Duke of York; it was necessary to have a Board of General Officers in order to settle that account; Mr. Manners was indebted to me for sums of money I had occasionally advanced him to accommodate him, and I had an assignment of this debt, which amounted to about 1,000*l.* or 1,200*l.* of Mr. Manners, for the purpose of repaying me; therefore I felt a little interested in getting the accounts settled, if I could. With respect to the question asked me, I had a communication with Mrs. Clarke respecting a Mr. Ludovick.

When? I think it was in September last; the latter end of August or September, to the best of my recollection.

What was the nature of the communication respecting Mr. Ludowick, and the circumstances of it? The circumstances were, that Mr. Ludowick wished to have some place or appointment, and Mrs. Clarke asked me, I believe, whether I knew of any such place; I said, that I would make some inquiry; and I learnt that it was possible that the place of Assistant Commissary might be obtained;—the consequence was, that money was deposited for that place, and I was led to believe that it might be effected; however it failed, and never took effect.

What is become of the money that was deposited, and in whose hands was it deposited? The money was deposited in the hands of March and Co. in Bond-street; the money is there now.

In whose name was it deposited? Part of it was deposited in the name, I think, of a Mr. Lloyd and a Mr. Barber; another part of it was deposited in my name, and in the name of Mr. Barber.

To whom was the money to be paid, in the event of the application for the place succeeding? There was 600*l.* deposited in the name of Messrs. Lloyd and Barber, I believe that would go into the hands of Mr. Lloyd; Mr. Barber was a friend of Mr. Ludowick's, and the money was only to be taken out on the event of the appointment taking place; the other 157*l.* I think that was the sum, would have passed through my hands, and I should have paid it over to the person with whom I communicated.

With whom was it that you communicated? With an agent, who was accustomed to make inquiries of that kind; may I be excused naming him?—His name was Tyndale.

Where does Mr. Tyndale live? He lives in Symonds'-buildings, Chelsea, or Symonds's-street.

Who is Mr. Lloyd? Mr. Lloyd I do not know; I believe he is an Attorney.

How came Mr. Lloyd to be entitled to so large a share of this sum? I understood that the agent would have a handsome emolument from it, which was 157*l.*

But the 157*l.* was deposited in your name at Mr. Barber's? It was.

Then that 157*l.* was to go to the agent Mr. Tyndale? Yes.

I now enquire as to the 600*l.* who was to have the benefit of that? Mr. Lloyd would have received that, I presume; I do not know of my own knowledge.

You do not know what Mr. Lloyd was to do with it, whether he was to keep it? No; I had no communication with Mr. Lloyd, or any one upon that subject.

Who introduced Mr. Ludowick to you? Mrs. Clarke mentioned Mr. Ludowick to me; I never saw him; I mean introduced by name, not personally.

Are you quite certain you never saw Mr. Ludowick? Never, to my knowledge.

Did Mrs. Clarke tell you how she became acquainted with Mr. Ludowick? Upon recollection, I am not certain whether she said he was an acquaintance of her's, or an acquaintance of Mr. Barber's; but I understood from her conversation, that she knew Mr. Ludowick, that she had seen him; she said he was a very genteel man, and very fit for the place, very much of a gentleman, and a man of property.

Did she state where he lived? I think she said he lived in Essex.

Do you recollect what part? I am not certain whether she said Grays, in Essex, that is only her relation; I think that she said Grays.

Is Mrs. Clarke acquainted with Mr. Tyndale? No.

Was she acquainted with Mr. Barber? Yes.

Was she acquainted with Mr. Lloyd? I do not think she is.

Who introduced Mr. Lloyd into this business? Mr. Tyndale.

Who introduced Mr. Tyndale into it? I introduced Mr. Tyndale into it by making the inquiry.

What share was Mrs. Clarke to have in the benefit to be derived from procuring this place? Nothing.

Nothing at all? No, nothing.

What share were you to have for the procuring this place? Nothing. I did not mean to take any thing.

You and Mrs. Clarke only did it for your pleasure? Mr. Ludowick was a friend of Mrs. Clarke's, and I wished to oblige Mrs. Clarke by introducing this thing, if I could.

How came Mrs. Clarke to apply to you to assist her in procuring this place? I believe from my calling upon her.

How came you to call upon her? I called upon her sometimes; she wrote to me, and I wished to keep up an acquaintance with her for the purpose of effecting the object of the account.

How came you to think that at this time Mrs. Clarke could help you in effectuating the object of the account? I did think so.

Through whom? From her; I thought that she still had an influence or some communication with the Duke.

Did she so represent herself to you? Yes.

At what time? She so represented herself to me when we were down at the court martial, and since that time.

At the time of the court martial, and since that time, she represented to you that she still had influence over the Duke of York to procure things to be done? Yes; I understood, that the connection was not entirely at an end, that she had still a connection or an interest with him.

Was this the first instance of your assisting her in procuring a place for her friend? Yes, I think it was; I do not recollect any thing else.

Is there any other instance in which you have been so employed? Nothing effected at least.

This was not effected; was there any thing else in which an attempt was made? Yes; she asked me whether a paymastership could be procured for a friend of her's.

Who was that friend? It was a Mr. Williams.

Where does he live? I understood he lived in Devonshire.

Did you endeavour to procure that paymastership for Mr. Williams? I made inquiry, and understood that it might be effected; but nothing was done in it.

Of whom did you inquire? Of the same person.

Of Mr. Tyndale? Yes.

Through whom was Mr. Tyndale to procure this paymastership did he tell you? No.

Was there any money deposited upon that occasion? Nothing.

Was there any other instance in which you were applied to by Mrs. Clarke? Yes, in the same way, but nothing done.

On whose behalf was that? That was Mr. Thompson, who was connected with her.

When was that? I think it was in August.

Was that before Mr. Williams's? Yes.

And before Mr. Ludowick's? Yes.

I thought you stated, that there had been no instance of your applying for any body before Mr. Ludowick; I misunderstood you, I suppose. Yes; I did not mean to say there was no instance of an application before I mentioned that, as being the thing the most likely to be effected.

About what time was Mr. Williams's? I think that Mr. Williams's was during the same period that she mentioned it to me; I think about the time of Mr. Ludowick's.

Was any money deposited upon that occasion? No.

What office was he to obtain? He was to have a paymastership, as she represented to me.

What did Thompson want? To go into the militia.

Did you make any inquiries upon that? Yes, I did.

Of whom did you inquire upon that? The same person, Mr. Tyndale.

Do you recollect the name of any other person from whom you were to make inquiries? I think there was a Mr. Lawson.

What office was he to obtain? He wished so obtain a place in the Custom-house, land-waiter.

Did you make any inquiries respecting him? Yes, I did; I made inquiries of the same person, but nothing was effected.

Was there any money deposited upon that occasion? None.

Did Mrs. Clarke recommend all these persons to you? Yes.

Is there any other person whom you can recollect? No, I do not immediately recollect any person besides.

I think you stated that there was no money deposited, except in the case of Ludowick; was there any agreement for the deposit or payment of money in the other cases, in the event of the application succeeding? In the event of the application succeeding in the case of Mr. Thompson, some remuneration was intended to be made.

What? I think it was about 250l.

For the commission in the militia? Yes.

Who was to have that 250l.? I do not know, I am sure.

Did you negotiate with Mr. Tyndale? I asked Mr. Tyndale about it, and he said he thought he could procure it.

For 250l.? Yes.

Was not it at all mentioned in that conversation, who was to have the benefit of the 250l.? No, I did not ask any questions of Mr. Tyndale. I thought it indelicate to ask questions.

You were to have nothing for any of these transactions? No.

Nor Mrs. Clarke? Nor Mrs. Clarke; Mr. Thompson was her brother I think.

In the other cases of Mr. Lawson and Mr. Williams, was she to have nothing in those cases? I do not know that she was, I am pretty sure that she was not.

Are you serious in saying that she was to have nothing for those? Yes.

Do you know any person that she calls the Duke of Portland in these transactions? No.

You never heard her say, that she dignified you by the name of her Duke of Portland? Never, till I heard it by accident.

What accident led you to hear that? I was coming into the city one day, I met Sir George Hill, with whom I have the honour of being acquainted, and he told me the circumstance.

Of her having mentioned it here? Yes, I did not hear of it before, and had no idea of the circumstance.

Was Ludowick recommended for any other place besides that of assistant commissary? When that failed he wished to have a paymastership in lieu of it, rather than give up the money; I understood that from Mrs. Clarke, but it did not turn out to be the case.

How long is it since you have given up all hopes of succeeding for Mr. Ludowick? I believe a month or two.

How happens it that the money still remains in Mr. Birch's bank? Because they have not asked to have it back again, I know of no other reason; they might have it back whenever they pleased; I told Mrs. Clarke some time ago, they had better take the money back, that there was not a likelihood of it being effected.

Did you ever acquaint Mr. Ludowick with that circumstance? I never spoke to him.

Had you any communication with Mr. Lloyd yourself? No.

Are you at all acquainted with Messrs. Coleman and Keyler? No, not at all.

Do you recollect the christian name of the Mr. Williams whom you spoke of? No, I do not.

Did you ever see him? Not to my knowledge.

Do you happen to know whether it is the same Mr. Williams who appeared in this house a few nights ago? I never saw that gentleman, but I have no reason to think so; because I understood he lived in Devonshire, and was a respectable man.

Do you know whether Mr. Tyndale was originally an ensign in the 17th foot, and afterwards a cornet in the 17th light dragoons? I understood that he had been in the army; but I do not know in what regiment.

Did you ever understand from any person that Sir Arthur Wellesley's being engaged at Chelsea was the reason that this business of Ludowick's did not succeed? No; I understood from Mr. Tyndale, that the trial at Chelsea occupied the public attention so much, that it stood in the way of the appointment.

Then you never did hear from any of the parties Sir Arthur Wellesley's name mentioned? No.

Up to what period did Mrs. Clarke represent herself to you as being possessed of influence with the Duke of York sufficient to obtain places? I had reason, from conversations with her, to think, that even to the eve of this inquiry, the Duke had not deserted her.

Is that mere supposition, or has she stated to you any thing positively upon that subject since May 1806? She has said those kind of things to me, that induced me to believe it, such as that the Duke was about providing for her upon a smaller establishment than formerly; and those kind of things which have induced me to think he had not deserted her.

Did you yourself suppose, you had any influence with the Duke of York? Not the least.

Then how do you account for Mrs. Clarke's employing you to solicit favours, which, you say, you understood she was able to obtain herself? I cannot account for that.

Did you ever represent to Mrs. Clarke, that you had any influence with the Duke of Portland? No.

With whom did you represent yourself to have any influence so as to induce her to make those applications repeatedly to you? I did not represent myself as having influence with any person whatever.

With whom did you understand Tyndale to have any influence? I did not know; I did not ask him any questions.

Then the committee are to understand, that you were a party to the deposit of money in the hands of third persons, for the purpose of procuring a place, without knowing through whose medium that place was to be procured? I did not know through whose medium it was to be procured.

Did you ever make application to Mrs. Clarke upon any other subject, except the liquidation of the debt supposed to be due to Mr. Manners? I do not recollect that I did.

When did you see Sir George Hill? I saw Sir George Hill on Saturday, and I saw him yesterday morning.

What rank in the militia was Mr. Thompson to obtain for 280l.? A captain's commission.

In what regiment of militia? I do not know the regiment.

Mr. Tyndale negotiated the business? It was not negotiated; I understood from Mr. Tyndale, that he could get it effected, but it was never negotiated.

Were you to receive any advantage from any of those transactions, if they had been carried into execution? No, I should not have received any thing.

What was your motive for undertaking such a negotiation? It was to oblige Mrs. Clarke, it was her relation.

Was the negotiation respecting Mr. Ludowick to oblige Mrs. Clarke? Yes, he was a friend of her's.

Are you acquainted with Mr. Lloyd? No.

Did you ever write a letter to Mr. Lloyd? No, I do not recollect that I ever wrote to Mr. Lloyd; I did not know him; I do not think I could possibly write a letter to him; I am pretty certain I did not, because I had no communication with him whatever.

Are you quite certain you never wrote to Mr. Lloyd? I am certain in my own mind; I should be very much surprised to see a letter of mine to Mr. Lloyd.

Recollect whether you ever did or not write to Mr. Lloyd. I do not recollect that I ever did; I am confident, as far as my memory serves me, that I did not.

Are you certain that you never did? I am as certain of that as I can be of most things.

Did you ever see Mr. Ludowick? No.

Who first spoke to you of Mr. Ludowick? Mrs. Clarke.

What did Mrs. Clarke know of Mr. Ludowick? I do not know; she spoke to me as if he was a friend of her's, but I do not know what the acquaintance was between them.

You were to procure this situation for Mr. Ludowick? I was not to procure it; but I mentioned it to Mr. Tyndale, who thought he could effect it.

You were employed by Mrs. Clarke to mention Mr. Tyndale to Mr. Tyndale? Yes.

-And Mr. Thompson? Not to mention him to him, but I mentioned them to him of my own accord.

-She applied to you to procure those situations? Yes.

-Did you represent yourself as able, by your own influence, to procure those situations? Not the least; I never had such an idea.

-Did you ever tell her you were to apply to a third person to procure those situations? I do not know that I told her that distinctly; but I said I would enquire, to the best of my recollection, whether such a thing could be obtained.

-You are certain of that? I am certain I never represented myself as having any interest to procure any place, not personally.

-Are you certain you never told her that you were to apply to another person to procure those appointments? To the best of my recollection, I said I would make enquiry.

-Did you ever name Tyndale to Mrs. Clarke? Never, I believe.

-Who introduced Tyndale to you? I met Mr. Tyndale frequently at a place where I used to go.

-Where was that? It was a Mr. Robins, in Bartlett's Buildings.

-Who was Mr. Robins? He was a solicitor; I used to see him there when I called occasionally.

-Did you ever see Mr. Barber? I saw Mr. Barber once.

-Where? I called upon him.

-Where? In Union Court.

-About this business of Mr. Ludowick's? Yes, about this business, to offer to return him the money.

-What was his answer? I think he said he would see Mr. Ludowick & he did not ask for the return of the money.

-Do you know what connection subsists between Mr. Barber and Mr. Lloyd? No, I do not know that any connection subsists between them.

-You never saw Mr. Lloyd? Not to my knowledge.

-Do you recollect now having ever written to Mr. Lloyd? No, I do not.

-Are those transactions with respect to Mr. Ludowick, Mr. Thompson, Mr. Williams, and Mr. Lawson, the only transactions of the sort in which you recollect to have been engaged? I do not recollect any others.

-Recollect yourself. There have been things mentioned, but nothing done.

-Some others have been mentioned? Yes I think there have.

-What are those? I think a place of a clerk in the war-office.

-When was that? I believe it was about August, but I am not quite certain.

-August last? Yes.

-Had Mrs. Clarke any thing to do with that? Yes, I believe she asked me about it.

-Did you undertake that, at the request of Mrs. Clarke? I made an inquiry.

-Did you make an inquiry at the request of Mrs. Clarke? I think I did.

-Was it or was it not at the request of Mrs. Clarke, that you made the inquiry? I think it was.

-Are you sure? I am pretty confident.

-Be quite sure? I think so, that it was at her request.

Was it effected? No, it was not.

What were you to receive for that, supposing it had been effected? I should not have received any thing for that.

Was any body to have received any thing for that? Yes.

Who? I do not know who; it was never negotiated.

In behalf of whom was the place to be procured? I do not recollect the name.

What sum was to be given in case it was obtained? I think about three or four hundred pounds.

To whom did you apply about that? Mr. Tyndale: I did not know any body else that was likely to effect this object.

Was it at Mrs. Clarke's request that you undertook that? I think it was.

You do not recollect the name of the person? No.

Do you recollect any other transaction? No, I do not recollect any other.

There is this clerkship in the war-office, this affair of Mr. Ludowick, this affair of Mr. Williams, this affair of Mr. Thompson, this affair of Mr. Lawson; do you recollect any other? No, I do not.

Are you quite sure there was no other transaction of the same sort? I do not recollect any other.

You do not know that there was not? No, I do not recollect any other.

You are not sure that there was no other? My memory may escape me, but I do not recollect any other.

What was the place which you negotiated for Mr. Russell Manners, in the year 1806? I did not negotiate any place for him.

Did not you endeavour to obtain a place for Mr. Russell Manners, through the medium of Mrs. Clarke, in 1806? No.

What was your transaction with Mrs. Clarke in 1806? I had no transaction with Mrs. Clarke in 1806.

What was your acquaintance with her in 1806? It was through the medium of Mr. Manners, who married my wife's sister; I had no acquaintance with her previous to that period.

From 1806 to April 1808, your acquaintance with Mrs. Clarke dropped, did it not? Yes I do not think I saw Mrs. Clarke from August or September 1806, till the court martial in April, 1808; I do not recollect that I did.

That court martial was held at Colchester? It was held at Weeley, near Colchester.

How soon after that court martial did you again see Mrs. Clarke? I do not recollect; I did not know where Mrs. Clarke lived.

Where did she live when you next saw her? If I recollect right, she lived in Holles-street; lodged there for a short period.

You do not know in what month that was? No, I cannot speak positively, but I think it was before she went to Bedford-place.

Did you go to her of your own accord, or did she send to you? She wrote me a note to call upon her? I did not know where she lived.

She stated I suppose in her letter, where you were to call upon her? Yes.

What was the object of her desiring to see you? I do not recollect what she said; I think it was something relative to that passed at the court martial, but I do not recollect.

Was it not to obtain some place for Mrs. Clarke, that she sent for you? No.

You are positive of that? Yes, I am pretty positive of it; I have not the least recollection of it.

When was it that the first of these transactions you have mentioned took place? I think in August.

That was a clerkship in the war-office, was it not? No I think it was about Mr. Thompson.

Was Mr. Thompson's the first transaction of the sort that took place after the court-martial? I think it was; there was no great distance of time between all these things.

Was there no other transaction of this sort took place between the court martial and the affair of Mr. Thompson, besides those which you have enumerated? I do not recollect any.

Have you ever prosecuted any business of this sort with success? Never.

Never in your life? No.

And you engaged in these businesses out of pure good-nature? I thought it would oblige Mrs. Clarke, and I wished to accomplish the object I had in view, to have Mr. Manner's accounts liquidated.

How could you suppose, that by obliging Mrs. Clarke, you could get Mr. Manners's accounts liquidated, when she had so little interest, that she was obliged to apply to you to accomplish these different businesses? Because she told me that she still had an interest with the Duke of York, and that she was, in some degree, under his protection.

Are you quite positive she told you that? I am quite satisfied that she told me that, or gave me to understand it; I had no reason to dispute it, from the tenor of her conversation to me more than once, as I mentioned before, that the Duke of York kept her upon a smaller establishment, and I really believed she was under the protection of the Duke of York, or that he was about to re-establish her.

Did it never occur to you to remark to her, that if she had that influence with the Duke of York, she was much more likely to prevail in such transactions than yourself? No, I never made that remark.

Where was it that she gave you to understand this, at Colchester? I think it was at Colchester, or going down to Colchester; it was about that time.

You do not now recollect any other transactions besides those you have mentioned? No I do not call any to my memory.

You do not recollect ever having written to Mr. Lloyd? No, I do not.

How many interviews do you suppose you had at different times with Mr. Tyndale? Upon my word I cannot tell, I have no idea; I have been used to see him frequently.

A great many? Yes, I have frequently seen him.

Then do you mean to state, in point of fact, upon no one of those interviews you have ever, from your own curiosity or any other motive, asked Mr. Tyndale through whose interest those appointments were to be procured? Upon one occasion, in the case of Lanlowick I think it was, I asked Mr. Tyndale, pressing very much to have it effected, what channel do you suppose this comes through? he supposed that it might come through the Wellesley interest, I think he said; he did not mention any particular person.

That answer was given by Mr. Tyndale in respect to Mr. Ludlow's appointment? Yes.

Did you never hear Mr. Tyndale mention any other name in respect to the channel through which any other was to come? No, I did not ask him any question as to the channel, except upon that occasion, when I pressed so much to have it effected.

Mr. Ludowick's was the third application you made to Mr. Tyndale, do you mean to state that in the applications for Thompson and Williams, which were previous, you never heard through whose influence those were to be obtained? No, I did not ask him any questions.

Not till the third application? I do not say it was the third application, but not till that application.

What led you to Mr. Tyndale? Being acquainted with him, and knowing that he was a kind of agent, and had information of that nature.

Had you any reason to know that Mr. Tyndale had the power of obtaining any offices? No, not personally.

Then do you mean to state that you applied to Mr. Tyndale in a great many instances, without knowing that there was any probability of his obtaining the offices he was employed to obtain? Yes, except from his own statement, or representation, that he thought he could get them.

By what means did he state that he thought he could effect them? He did not state the means; I did not inquire into the channel; I do not know what communications he had, nor with whom he was connected.

Do you mean to state, that after you had applied to him repeatedly, and he had failed in obtaining those situations for which he was applied to, that you continued still to apply to him without hearing from him the means by which he was to obtain future situations? Yes; I did not know that he had any interest in himself to effect those objects.

Had you been in the habit of negotiating, or have ever negotiated for any situations of this kind, previous to your knowledge of Mrs. Clarke? No.

State whether Mrs. Clarke gave you any hopes that Mr. Russell Manners's object would be effected? I was about to state the purport of a letter, but it is not correctly evidence, which I do not know whether I have seen or not; but I remember the contents of it perfectly well, particularly one expression of the letter, purported to be written by the Duke, and it said that he would give Mr. Manners a place suitable to his name and family. I remember that expression, I think those were the very words; or, that would not disgrace his name and family; something to that purport. This communication was not made to me, it was made to Mr. Manners by Mrs. Clarke, this letter that I speak of, and Mr. Manners communicated it to me.

Did Mr. Manners state to you that he had seen such a letter, or did he bring such a letter to you? I am sure that he stated such a letter to me, but I do not think I saw the letter.

Do you recollect at what time this passed? I think about the month of August 1806, as nearly as I can recollect, perhaps it might be July.

Did Mr. Manners state to you from whom he had the letter? To the best of my recollection it was a letter written by the Duke to Mrs. Clarke, which she shewed to him. I do not know whether she enclosed the letter to Mr. Manners, whether he had the actual possession of it, or only saw it in her possession.

Did you see Mrs. Clarke afterwards, and have any conversation with

her upon this letter? I do not recollect that I had; I saw her afterwards, but I do not recollect that I said any thing to her upon the subject.

When you saw her afterwards, had you any conversation with her upon Mr. Manners's business? I do not recollect that I had; for I generally saw her in the company of Mr. Manners.

When you saw her in company with Mr. Manners afterwards did any conversation pass on Mr. Manners's business? No, I do not recollect that there was.

Not up to this hour? No; Mr. Manners has been abroad for a year and a half.

Have you conducted his affairs since he has been abroad? No; he has no affairs to conduct, in fact.

Did Mrs. Clarke, in your hearing or to you, say that she had mentioned Mr. Russell Manners's business to the Duke of York? I do not recollect that she ever said that in my presence.

Did you ever hear her say any thing upon that subject? I do not recollect that I ever did; for I saw Mr. Manners so frequently that he communicated every thing to me. I do not think I ever spoke to her upon that subject.

Did any conversation pass between her and Mr. Manners upon the subject in your presence? I do not recollect any conversation.

Did you transact all this business for her gratuitously, or did you hope that this object would be effected, and that you should be remunerated in that way? I had no gratuity for it, but I hoped that I should get the account settled.

Have you expected that in the course of the last year? I have expected it; I remember speaking to Mrs. Clarke about it frequently, and not long ago. I think about a month.

You spoke to her upon the subject about a month ago? Yes.

Did she at that time give you hopes that it would be effected? She said, you may speak to me upon that about two months hence.

Did she say at all that she had mentioned the subject to his Royal Highness? No, she never did.

Not at any other time? No; she seemed as if she wished to postpone that application; that I must speak to her about two months hence. That was about a month or six weeks ago.

Was it up to that late period of a month or six weeks ago you still supposed her to have influence with the Duke of York? Yes, I still thought so to the eve of this inquiry, from her representations to me and her conversation.

Did you think so from her representations and conduct? Yes, from her representations.

You have stated, that in one of those transactions the money was left at the house of Messrs. Birch and Co. have you any credit with that house? No, I have no account with that house.

They do not discount bills for you? No.

Do you happen to know whether Mrs. Clarke has any account with the house of Messrs. Birch, where this money was left? I do not know that she has.

Who proposed that the money should be deposited there? I think it was Tyndale; I am pretty confident it was.

Has it ever happened to you, in transactions of this nature, to have money deposited at a house where you have a credit? I never had any

of this money deposited upon my own account; I do not know whether it is customary.

I do not ask as to money deposited on your own account, but money on account of persons concerned in such a negotiation? I have no experience upon that subject, though I believe it is customary to deposit the money with the bankers to one of the parties, but I do not think Birch and Company were bankers to any of the parties.

Has it ever happened to you in a negotiation of this kind, that the money should be deposited at a banker's where you had a credit? No.

Was it Mrs. Clarke who made the proposition to you in the first affair you were concerned in, or you to Mrs. Clarke? I think Mrs. Clarke asked me the question; I think she made the proposition.

What question did Mrs. Clarke ask you? I think it was about Thompson.

What was the question Mrs. Clarke put to you? That she wished to get a commission for him, and inquired whether it could be effected.

Did the bankers allow any interest upon the sum deposited? I apprehend not; I take that for granted.

You are sure they did not allow four per cent.? I am pretty certain they did not.

Are you perfectly sure? I have had no communication with the bankers; I never heard that they did, and I rather think they did not, for the parties do not expect interest for their money, and I do not think that the bankers, upon those occasions, allow any interest generally; I never heard that they did.

Are you perfectly certain that you never did, in any former transactions, derive an advantage from the lodgment of money at Messrs. Birch and Company's? Yes; I am perfectly confident of it.

You have said, that you were not certain whether some conversation passed with Mrs. Clarke at the Court Martial, or going down to Colchester; did you go down to Colchester with Mrs. Clarke? I did. She called upon me, she said she was going to Colchester, and I was summoned very suddenly to the Court Martial; I had but an hour's notice; she said she was going down in a post-chaise; I said, then we may as well go together, and we accordingly did go down in a chaise together.

Did you not give evidence upon that Court Martial that you had not seen Mrs. Clarke either for some weeks or months preceding that trial? I think, to the best of my recollection, that I said I had not seen her from August, 1806, till she called upon me.

Up to the period of your evidence? Up to the time when she called upon me.

Will you be perfectly clear in your recollection, whether you did not say that upon oath? I do not recollect that I did; I should wish to hear that part read, if it is in court; I have no idea that I differed upon that occasion from what I state now. I am sure, upon both occasions, I state to the best of my recollection; I may be mistaken in these trivial circumstances which did not interest me; that I did not see her from August 1806, till she called upon me to go down to the Court Martial; I think I stated that.

Will you state positively that you did not upon that trial, on oath, state that you had not seen Mrs. Clarke for either weeks or months up to the period at which you gave your evidence? I do not recollect

that; if I did it must be a mistake; I fancy I corrected it, if I stated that: but I must be misunderstood upon that occasion.

In any of the conversations you had with Mrs. Clarke or Mr. Tyndale on the subject of these transactions, was the Duke of York's name ever mentioned? Never.

You are sure it was not upon any occasion? I am certain it was not; nor the name of any other person except in the way I have mentioned.

You have stated, that about two months ago you informed Mrs. Clarke that there was no hope of getting a situation for Mr. Ludowick? what circumstance induced you to form that opinion, and to communicate to Mrs. Clarke that there was no hope of success for Mr. Ludowick? From Mr. Tyndale; he told me that he thought that he could not effect it.

Mr. Tyndale told you that he thought he could not effect it? Yes.

Did he give you any reason for his failure? I think he said, to the best of my recollection, that a new arrangement had taken place in that department, or something to that purport.

When did Mr. Tyndale tell you that the appointment was only delayed on account of the Inquiry at Chelsea, respecting the Convention at Cintra? It was during that Inquiry or that Trial.

Then you were led to hope, pending the Board of Inquiry at Chelsea, the appointment would take place as soon as that was over? I thought so from what he said to me.

And two months ago you were informed by Mr. Tyndale that there was no chance of success, owing to a new arrangement? I think it was only about a month.

[The following Questions and Answers were read:]

"Q. In any conversations you had with Mrs. Clarke or Mr. Tyndale on the subject of these transactions, was the Duke of Portland's name ever mentioned? Never."—"Q. You are sure it was not upon any occasion? I am certain it was not, nor the name of any other person, except in the way I have mentioned."

What do you mean by "except in the way you have mentioned?" That he said, that the place of Assistant Commissary he thought would be procured through the Wellesley interest, not mentioning any particular name.

Were you yourself acquainted with the hand writing of the letter which you stated to have been a letter from the Duke of York? I do not recollect that I ever saw the letter.

Were you ever engaged in any transaction about Writeships or Cadetships for India? No, I think; excepting once a person asked me about a cadetship.

Who was the person who asked you about a cadetship? Mr. Donovan.

You are acquainted with Mr. Donovan, are you? I have an acquaintance with him.

What did he ask you about a cadetship? He asked me whether it could be procured.

When was this? I think it was about six weeks ago.

What did you answer? I said, that I would inquire about it.

Did you inquire? Yes.

What was the result? That it might be procured was the result.

Of whom did you inquire? I inquired of this same gentleman.

And he told you it might be procured? Yes.

Was it procured? No.

How came it not to be procured, do you know? I do not know how it came not to be procured.

Tyndale told you he could not procure it? No, he said he could.

From whom did you learn that it could not be procured? I do not know that it cannot be procured. Nothing is done in it that I know of.

What suspended the negotiation? I do not know exactly, but I fancy the party was not in town, or something of that kind.

What party? An acquaintance of Mr. Donovan's.

The party who wanted to procure it? Yes.

Is the business in suspense now? Is it in a train of proceeding now? I do not know.

How long is it since you have lost sight of this transaction? I believe perhaps a week.

Then a week ago you knew something of this transaction, did you? Yes.

What did you know of it then? Was it in a train of proceeding then? Yes.

Had the party come to town then? No, I believe not.

It was in the regular process, was it? Yes, I understood it might be effected.

From whom did you understand that? From Mr. Tyndale.

Do you expect, now, it will be effected? Upon my word, I do not know.

What was to be paid, if this transaction was brought to a successful conclusion? I do not know that any particular sum was mentioned upon that, unless it was 150*l*.

One hundred and fifty pounds, to be paid to whom? That I do not know. Mr. Tyndale, I suppose, would receive it, effecting the thing.

Mr. Tyndale would have 150*l*? Yes.

What should you have? I should not have any thing. Mr. Donovan, I suppose, would have paid the money to me, and I should have paid it over to Mr. Tyndale.

Are you a lawyer? Yes.

Were you aware that this was an illegal transaction? No.

Are you aware of that now? No.

Was this the only occasion on which Mr. Donovan employed you to negotiate a writership, or a cadetship to India? Yes.

Are you positive of that? Yes, I do not recollect any other.

Are you positive there was no other? Yes.

Quite positive? Yes.

How long have you been acquainted with Mr. Donovan? I do not exactly recollect, perhaps a year.

Try to recollect as nearly as you can? I think it is about a year, not quite.

Do you manage Mr. Donovan's affairs? No.

Are you an agent of Mr. Donovan's in other matters besides this? No.

How long have you been an agent of his in these transactions? I am not an agent of his.

How long has Mr. Donovan consulted you, or courted your assist-

ance in transactions of this sort? I do not know exactly; I have called upon Mr. Donovan occasionally upon other matters.

How often has Mr. Donovan talked to you upon matters of this kind? I cannot tell.

In how many instances has Mr. Donovan employed you in transactions of this sort? Only on that one.

Are you quite positive he has employed you upon no other? I do not recollect any other.

Upon what other transactions did you go to see Mr. Donovan? Mr. Donovan is intimate with Lord Moira, and I have called upon him to know whether Lord Moira's sister was arrived in England, because I expected a relation of mine would come over about the same time, or that I should have intelligence about her.

Come from where? From Vienna.

Do you know a person of the name of Gibson? No; what Gibson.

Do you know of a Mr. Gibson of Coventry-street? No.

Do you know a Mr. Gibson who was lately negotiating for the place of Tide-waiter? No.

You never heard of him? No.

Mr. Donovan never named him to you? No.

Did Mr. Donovan introduce you to Mrs. Clarke at any time? No.

Did you never see Mrs. Clarke from the year 1806 till the time she called upon you to go with her to Colchester in April, 1808? I do not recollect that I did.

Had you ever any intercourse with her by letter, during that period?

Yes, I think I had letters from her before the Court Martial, about her brother, Mr. Thompson.

Was this upon the affair of the Court Martial? I believe that related to it.

Try to be certain what it was she wrote to you about? I really cannot recollect the contents of the letter, but I think it respected some Bills of Exchange which came before the Court Martial, and there was some difficulty about them; she was afraid he would be arrested, I think; but I do not recollect the purport of the letter.

Had you no correspondence with her about matters of this sort? No, I do not recollect any communication of the sort.

Was it in consequence of that communication that she called upon you in the chaise as she went down? I recollect that she wrote to me a few days before, that she thought she should have occasion to desire me to attend at Colchester upon that business.

How many letters had you from Mrs. Clarke during the period between 1806 and 1808? I am sure I do not know.

All about this business of the court martial? No.

What were the other letters about? I do not recollect; nothing of any consequence, I believe. I do not think I heard from her for several months; those letters that I allude to, I think, came from Hampstead; but the contents are so immaterial to me, that I do not call them to recollection.

There were not letters of business? No, I think not; I do not recollect the contents of them.

When did you last see Mr. Donovan? I think I saw him last Friday or Saturday; I rather think Friday.

Had you any conversation with him at that time about the cadetship? No; I do not think I had.

Are you positive you had not? I do not recollect that I had.

Had you, or had you not, any conversation at that time with Mr. Donovan upon that subject? I do not recollect that I had.

You are not positive? I think I am positive.

You have stated, that it is customary in transactions of such a nature as those you have been speaking of, to deposit the money with the banker of one of the parties; what do you mean by customary? I did not speak of my own knowledge, but I believe it is usual; I believe it is natural to deposit it with the banker of one of the parties.

Then you do not know that it is the custom? No; but I rather take it for granted that it is customary to deposit the money with the banker of one of the parties.

Refresh your memory, and inform the Committee whether you can now recollect any negotiation of this sort besides the one of Mr. Ludowick's, the one of Mr. Williams's, the one of Mr. Thompson's, the one of Mr. Lawson's, the one respecting the clerkship in the War-office, and the one respecting the cadetship? No; I do not recollect any.

What reason did Mrs. Clarke give you for wishing you to speak to her in two months respecting Mr. Russell Maunder's affairs? She did not give any reason for it.

You have said that you are a solicitor by profession; you are paid for your trouble in transactions of business, are you not? Yes, in professional business.

How could you afford to transact so many intricate businesses quite gratuitously? I have done a great deal of business gratuitously in my profession.

You have said, that in negotiating this business with Mr. Tyndale you had but little hopes of success given to you; did you represent the matters to the gentlemen who applied to you in the same light, or did you magnify their chance of success? I had no communication with those gentlemen, but only with Mrs. Clarke; I communicated to her.

Can you recollect any single circumstance, or any single expression of Mrs. Clarke's, that could serve as a foundation for your suspicion that she had any influence with the Duke of York as to granting places since 1806? I only collected from her conversation that she still had an interest with the Duke of York, but she said nothing about a power to grant places, or any thing of that sort.

Do you know of her offering to procure, or of her pretending to endeavour to procure any place by her own influence with the Duke, during that period, from the latter end of 1806? I do not, from the latter end of 1806, recollect her saying any thing to that purport.

Would you have been anxious to oblige Mrs. Clarke, if she had not given you reason to suppose that she still possessed influence with the Commander in Chief? No.

At what period did Mrs. Clarke represent to you that the Duke of York was about to reinstate her upon a reduced establishment? I think that was about the time of going down to the court martial.

Mrs. MARY ANN CLARKE was called in again, and examined by the Committee, as follows:

Have you any papers of Mr. Maltby's in your hand? Yes, I have.

[The Witness delivered in some paper.]

State from whom you received those different papers? I received

those from Mr. Maltby, and those two from Mr. Barber; there is Mr. Barber's name to one of them.

Do those you received from Mr. Maltby purport to be Mr. Maltby's hand-writing? Yes; his name is to two or three of them.

Do they all purport to be his hand-writing? Yes, they are all of his hand-writing.

Did you ever see Mr. Maltby write? Yes, many times.

Do you know that they are his hand-writing? Yes.

You are positive of that fact? Yes.

Have you ever seen Mr. Barber write? Yes; this is only a sort of copy of how the money was to be lodged.

Is that in Mr. Barber's hand-writing? Yes, they are by the same hand, and his name is to one.

Have you any other letters which you wish to deliver in? Yes, I have.

From whom are they? Three of them are from Colonel M'Mahon to me; I have lost the others, I fancy.

Have you any other letters which you wish to produce? To shew I did not tell a story about Doctor O'Meara, I have a letter of recommendation from the Archbishop of Tuam, not to me, but to the doctor himself.

Any thing more? General Clavering, I fancy, informed the honourable gentlemen here, that he never had any thing to say to me upon military affairs; General Clavering being a distressed man, he was then a colonel, I spoke to the Duke respecting him; and had a great deal of difficulty, more so than as to any other man that I ever applied for, in getting any sort of employment for him.

Have you any papers relating to that matter? At last I prevailed upon the Duke to give him a district, and with it he made him a brigadier-general, entirely through my means. He afterwards asked me to get him a regiment; and, fearing they might be all given away before his Royal Highness came to town, I wrote to him when he was reviewing along the coast; here is the letter which his Royal Highness wrote to me, in which he mentions General Clavering's name. There is another from the Duke, in which he acknowledges about Doctor O'Meara, that he would serve him as soon as he could; it does not speak of the Archbishopric, it merely acknowledges that he knows such a man. And the other is from Colonel Shaw, when in the Downs, just before he sailed for the Cape of Good Hope, complaining of being put upon half-pay.

Do you know that to be the writing of his Royal Highness the Duke of York? Yes, I do; but if not Mr. Adam can speak to it.

Is that [another letter] the hand-writing of his Royal Highness? Yes.

Have you seen the Duke of York write? Yes, I have. This, addressed to George Farquhar, Esq. is his usual hand-writing; whenever he addresses Mrs. Clarke, the outside is always in a fictitious hand. This is addressed, Mrs. Clarke, to be left at the Post-office at Worthington; the inside of both letters is his usual hand.

How did you come by the letter of the Archbishop of Tuam? It was left amongst Dr. O'Meara papers, among his documents, by accident, and I did not destroy it, because I thought it might be of some

future service to him; when I gave him his papers, this was left by accident.

Do you recollect through what medium you received Colonel Shaw's letter, whether by post, or a private hand? I fancy it went to Coutts's the bankers; I think he directed me to write to him always there under cover, and the clerks would take care of them; but I am not quite certain, I think it was brought to me by a private hand.

Do you know Colonel Shaw's hand so well, as to be able to speak to that being his hand-writing? Yes, I do.

You say that is Colonel Shaw's writing; Yes, it is.

Did you ever see Dr. O'Meara? Yes, very often indeed.

Who is Dr. O'Meara? He is an Irish gentleman, a clergyman, I do not know better how to describe him; he is very well known in Ireland.

Where was this letter purporting to be a letter from the Archbishop of Tuam to him, found? Among my own papers; Dr. O'Meara has written me several letters for it, but I could not find it till about half a year ago.

Did Dr. O'Meara send you that letter? Yes, he did, he gave it to me with other documents.

How long since? It must have been very soon after it was written, I believe.

What time was that? I really do not like to date the letter.

How many years ago? It was while I lived in Gloucester-place.

How long ago is it since you lived in Gloucester-place? Since the year 1806.

Did Dr. O'Meara, upon sending that letter to you, direct any use to be made of it? Yes, to shew it to the Duke of York with the other papers.

Was it about the time that the Duke of York went to Lord Chesterfield's christening that Dr. O'Meara gave it to you? No, I believe it was some time previous to that.

How long previous? I cannot say.

It was previous to that? He gave me documents, but I am not sure that was among them; but I am certain that I received it from his own hands.

[The witness was directed to withdraw.

The following papers were read: letter from Mr. Maltby, dated July 28th.—Saturday evening.—Friday afternoon.—May 20th.—Wednesday afternoon December 7th.—Thursday, 5 in the afternoon.—A paper beginning "The receipts to be taken," &c.—receipts in pencil, beginning "received of Mr. Blake," &c.—Letter from Mr. Barber.—Another form of receipt.—Agreement, beginning, "I William Barber," &c.—A note from Colonel M'Mahon to Mrs. Clarke, dated Monday morning.—A letter from the same, dated Wednesday morning; and from the same, dated Tuesday morning.—Letter from his Royal Highness the Duke of York to Mrs. Clarke, dated August the 4th, 1805.—Letter from his Royal Highness the Duke of York to Mrs. Clarke, dated August 24th, 1804.]

"Dear Madam,

"Friday morning.

"The regiment for Mr. Williams is going to *India*; this is lucky; therefore let him immediately provide the needful, and I will arrange in *what* way it is to be deposited. Have you written to him, as no time is to be lost.

"As to the 2d battalion, is the gentleman here and prepared?

"Your's truly,

"R. M.

"Pray give me a *line* in answer."

"Dear Madam,

"If you can *by any means* forward the adjustment of Mr. Manners' account as to his claims respecting the 26th regiment whilst in Egypt, of which the late General Manners was the colonel,

"You will much oblige,

"Dear Madam,

"Your's truly,

"R. MALTSBY."

"July 28th.

"I don't know your true address. I called in Holles-street a few days ago, and found you were gone."

"My dear Madam,

"Saturday evening.

"I thank you very much for your kind attention—you would be quite a treasure in *every way* to any secretary of state.

"I am as anxious as you can be, that there may be no disappointment in the comssp. and I am goading the parties every day.

"You say nothing of the P—ship 2d battalion; is the party ready?

"When do you leave B— place?

"I am, dear Madam,

"Your's truly,

"R. M."

"Dear Madam,

"If I have not the letter of recommendation immediately, and the money ready, I fear it will be lost. I understand the regiment is *very respectable*, but I do not know the county yet.

"Remember the paymastership.

"Your's truly,

"R. M."

"Friday afternoon.

"Dear Madam,

"May 20th.

"Mr. M. is not, I believe, in this country, but far distant; so it will answer to send your letter. Shall I inquire for the object you mention? What *rank*, and *what* shall I propose for it?

"Do you know any one who wishes, on certain terms, a paymastership in the E. Indies?

"I will inquire about the *other* matters.

"Your's truly,

"R. M."

"Dear Madam,

"I shall ascertain to-morrow every thing respecting the P. ship.

"Will any person you know like a place in the Bank, about 100l.

per annum. I believe *another* P. ship of a first, and one of a second battalion, may be had, and militia adjutantcies.

Dear Madam,

"Wednesday Afternoon, Dec. 7th."

"Your's truly, "R. M."

"Thursday, 5 Afternoon."

"Dear Madam,

"I have been in search of Mr. Barber, both in Bream's buildings and the city, without success: I shall see him to-morrow at eleven, and I am *satisfied* I shall arrange with him, (I hope as he wishes.)

"In the *mean time*, as it is *CERTAIN* Mr. Williams may have what he wishes, I beg you will be so good as to send to Mr. Browne *instantly* to call on me, as it cannot be kept longer than a *day open*; and I think I can satisfy Mr. B. that there will be *no disappointment*. Pray send to him *directly*."

"Your's very truly, "R. M."

"The receipts to be taken in the short form, as it is likely Coutts & Co. will not like to sign such a special receipt as that written by M. B.

"630l. to be deposited at Messrs. Coutts and Co. in names of L. & B.

"& 137l. 10s. at Messrs. Birch & Co. in the names of—
Blake and Wm. Barber—

"& to take a *similar* receipt."

"It is *absolutely* necessary to make the *deposit* to-morrow, *Friday* (if not *already done*) as the appointment otherwise will probably *fail*."

Addressed:

"Mrs. Clarke,

Tavistock-place,

14,

Russel-square."

"Forms of Receipt."

"Received September 1808, of M. Blake, and the sum of three hundred and sixty seven pounds ten shillings, to be repaid by us to the bearer of this receipt, upon producing the same indorsed by the said M. Blake, and

(Signed)

"BIRCH & Co."

"I do hereby agree to indorse a certain receipt, dated Sept. 1808, for 367l. 10s. received of M. Blake and myself by Messrs. Birch, Chambers, and Co. immediately on the appointment of as a clerk on the establishment in the war-office.

"Witness my hand, this day of Sept. 1808."

"N. B. A similar engagement, to be signed as to 52l. 10s.

"Received Sept. 1808, of & R. Maltby, the sum of fifty two pounds ten shillings, to be repaid by us to the bearer of this receipt, upon producing the same indorsed by the said and R. Maltby.

(Signed)

"BIRCH & Co."

"DEAR MADAM,

"It is impossible for me to pay the cash in this day, or even to-morrow, as it is in the bank. Understanding from you that it would

not be wanted for a fortnight, I hope the business will not be stopped for the want of this, for you may rest assured, honour is the order of the day in this transaction, and L. will come up directly and supply the cash. I have made a little alteration in the blank receipt and agreement you sent me, but which, I dare say, will not be objected to by Lloyd and Co.

"Your's very obatly.

"Wm. Barber."

"Tuesday."

"Recd. Sept 1868, of Lloyd, Esq. and William Barber, the sum of to be repaid by us to the bearer of this receipt, upon producing the same indorsed by the said Lloyd and Wm. Barber, or by the said Wm. Barber only, in case such receipt, with the said joint indorsement thereon, shall not be produced to us within two months from the Date hereof.

(Signed)

COUTTS & Co."

"Agreement.

"I Wm. Barber do hereby agree to indorse a certain receipt, dated Sept. 1868, for received of John Lloyd, Esq. and myself by Messrs. Coutts & Co. immediately on the appointment of J. K. Ludowick, Esq. to the place of assistant-commissary, appearing in the London Gazette, provided such appointment takes place within two months from the date hereof. And I the said John Lloyd, do hereby agree, that in case the above mentioned appointment shall not appear in the London Gazette within the time above-mentioned, then that I, the said J. Lloyd will indorse over such receipt to the said Wm. Barber, to enable him to receive such above-mentioned sum from Messrs. Coutts and Co. so deposited in their hands.

"LLOYD."

"B."

COLONEL M'MAHON'S NOTES.

"Monday Morning.

"Col. M'Mahon presents his best compliments to Mrs. Clarke, and had only yesterday the pleasure to receive her note of Thursday last, for although he has returned to town for the season as his head-quarters, he makes two or three days excursions from it as often as he can, and it was during one of those that Mrs. Clarke's note arrived, otherwise it should not have so long remained unanswered. Col. M. will take the first forenoon he possibly can to wait on Mrs. Clarke in the course of this week.

Addressed:

"Mrs. Clarke,

"14, Bedford-place,

"Bloomsbury."

"(Private.)

"Wednesday Morning.

"I should be most happy to bring about your wishes, and render you any service with the D. of Y. but I have not been able to see him since I had the pleasure of seeing you, and I understood he goes to Windsor to-day, and stays till Friday, when I will try all in my power to seek an audience on your business, but am obliged to go out of town myself until that day. A thousand thanks for the loan of your

deal, from which I have had an impression taken, in remembrance of your sprightly device.

" Ever your's,
" J. M."

" Mrs. Farquhar,
" 14, Bedford-place,
" Russell-square."

" Nothing, Mrs. Clarke may be assured, but indisposition, and wanting in the pleasure of having any thing successful to report, could have so long prevented my calling on or sending to her.

" In whatever communication may have been made to Mrs. Clarke's lawyer, I am indignant that such terms as, "either deceiving or laughing at you," should form a part of it, having reference to me; for which I lament my total inability to serve Mrs. Clarke, I am ready to confess that in the few interviews I had the honour to hold with her, her conduct and conversation demanded nothing but my respect, and the good wishes I bear her.

" J. M."

" Tuesday Morning."

DUKE OF YORK'S FIRST LETTER.

August 4, 1805.

" How can I sufficiently express to My Sweetest, My Darling Love, the delight which her dear, her pretty letter gave me, or how much I feel all the kind things she says to me in it? Millions and millions of thanks for it, My Angel! and be assured that my heart is fully sensible of your affection, and that upon it alone its whole happiness depends.

" I am, however, quite hurt that My Love did not go to the Lower Races; how kind of her to think of me upon the occasion; but I trust that she knows me too well not to be convinced that I cannot bear the idea of adding to those sacrifices which I am but too sensible that she has made to me.

" News! My Angel cannot expect from me from hence; though the life led here, at least in the family I am in, is very hurrying; there is a sameness in it which affords little subject for a letter; except Lord Chesterfield's family, there is not a single person except ourselves that I know. Last night we were at the play, which went off better than the first night.

" Dr. O'Meara called upon me yesterday morning, and delivered me your letter; he wishes much to preach before Royalty, and if I can put him in the way of it I will.

" What a time it appears to me already, My Darling, since we parted; how impatiently I look forward to next Wednesday se'night!

" God bless you, my own Dear, Dear Love; I shall miss the post if I add more; Oh, believe me ever, to my last hour, Your's, and Your's alone."

Addressed:

" Mrs. Clarke,
" to be left at the Post-office,
" Worthing."

Indorsed:

" Dr. O'Meara."

DUKE OF YORK'S SECOND LETTER.

Sandgate, August 24, 1804.

"How can I sufficiently express to My Darling Love my thanks for her dear, dear letter, or the delight which the assurances of her love give me? Oh, My Angel! do me justice and be convinced that there never was a woman adored as you are. Every day, every hour convinces me more and more, that my whole happiness depends upon you alone. What a time it appears to be since we parted, and with what impatience do I look forward to the day after to-morrow; there are still, however, two whole nights before I shall clasp My Darling in my arms!

"How happy am I to learn that you are better; I still, however, will not give up my hopes of the cause of your feeling uncomfortable. Clavering is mistaken, My Angel, in thinking that any new regiments are to be raised; it is not intended, only second battalions to the existing corps; you had better, therefore, tell him so, and that you were sure there would be no use in applying for him.

"Ten thousand thanks, my love, for the handkerchiefs, which are delightful; and I need not, I trust, assure you of the pleasure I feel in wearing them, and thinking of the dear hands who made them for me.

"Nothing could be more satisfactory than the tour I made, and the state in which I have found every thing. The whole of the day before yesterday was employed in visiting the works of Dover; reviewing the troops there, and examining the coast as far as this place. From Folkstone I had a very good view of those of the French camp.

"Yesterday I first reviewed the camp here, and afterwards the 13th Light Dragoons, who are certainly in very fine order; and from thence proceeded to Brabourne Lees, to see four regiments of militia; which altogether, took me up near thirteen hours. I am now setting off immediately to ride along the coast to Hastings, reviewing the different corps as I pass, which will take me, at least, as long. Adieu, therefore, My Sweetest Dearest Love, till the day after to-morrow, and be assured, that to my last hour I shall ever remain Your's and Your's alone."

Addressed:

"George Farquhar, Esq.

"No. 18, Gloucester-place,

"Portman-square."

FOLKSTONE.

79.

Indorsed:

"Gl. Clavering, &c."

Mr. TIMOTHY DOCKERY was called in, and examined by the Committee, as follows:

Do you know any thing of the transaction relative to the purchase of a service of plate sent to Gloucester-place? Yes.

Relate what you know of that purchase. In the first place, what commenced it, and how it proceeded till the bargain was made conclusively. Not being a partner in the house at the time the purchase was made, I know nothing at all of the circumstance.

State in what character you were in the house at the time the purchase was made. As a servant.

: What was your employment in the house? A journeyman.

What was the particular business you transacted in that house? The superintendence partly of it.

Do you recollect any particulars respecting the bargain about the plate to your own knowledge? Nothing further than what was mentioned by Mr. Birkett.

Do you mean to state, that neither the Duke of York nor Mrs. Clarke did, in your presence, examine and treat about that plate? Certainly not.

State what you heard the Duke of York and Mrs. Clarke say, when they were bargaining for that plate. The bargain concerning that plate was not made in my presence.

Then you do mean to state, that you never did hear any bargain about it? Certainly.

[The witness was directed to withdraw.

The Attorney General stated, his objections to the question. He conceived that it might be attended with very dangerous consequences, if, on an inquiry of such importance as the present, the committee was to receive as evidence the assertion of one person respecting the statement of another who was dead, and by whom therefore that statement could never be either confirmed or contradicted.

Lord Temple, while he admitted that it would be preferable, could the evidence of Mr. Birkett himself be adduced, yet as that was impossible, thought that the committee should accept of the best evidence the case would allow.

Mr. Leicester begged the committee to consider what would be the effect of putting the question. The answer to it would go out to the public as fact, while it would be impossible for the committee to attach to it any serious value. If the question were put, it would be in opposition to all rules of evidence.

Mr. Wardle, as he found the learned gentlemen opposite were so hostile to his question, would endeavour to get at the facts which he wished to establish through another medium.

Mr. Whitbread denied that such a strict rule of evidence existed in the house of commons, as that stated by the learned gentleman. Of this he was sure, that the learned gentleman, at whose suggestion the witness was ordered to withdraw, had in the course of his former examination on this subject, deviated at least as much from the strict line of evidence, and produced testimony quite

as loose as that against the production of which he had now argued.

Mr. Laycester insisted on the necessity of drawing a line, although he admitted that the committee was not bound so strictly with respect to the nature of the evidence which they might admit, as the courts of justice.

Mr. Fuller declared, that any principle of examination that deviated from the principles established in the courts of justice, was a party principle. The principles on which the courts of justice proceeded were most wise, and a deviation from them must be attended with error.

[The witness was again called in.]

You have stated, that you were the acting man in the house of Birkett? Not during the time that the purchase of plate was made by Mrs. Clarke.

What situation did you hold in the house? That of journeyman.

Is it within your own knowledge that the plate was purchased from Messrs. Birkett? Certainly.

Do you know the price that was agreed to be given for that plate? The books which have already been produced will shew that.

Do you of your own knowledge know the price that was to be paid for that plate? By referring to the books.

Do you of your own knowledge know the price that was to be paid for that plate, without referring to the books? Certainly not.

Then you do not of your own knowledge know the sum that was to have been paid for that plate? By referring to the books I shall be able to judge.

Then you do not of your own knowledge know the sum that was to have been paid for that plate? I do not immediately recollect the specific sum that was paid for it, but if I may be allowed to look at the books I will state it.

Do you know to whom that specific service of plate belonged, before it was sent to Gloucester place? Yes.

To whom did it belong? The Duke de Berri.

Do you of your own knowledge know that any part of that plate was sent up to Gloucester-place, for the inspection of the Duke of York and Mrs. Clarke? Not to my recollection.

Do you recollect either the Duke of York or Mrs. Clarke being at Messrs. Birkett's and examining the plate in their shop? No.

Do you recollect any thing with regard to the payment for that plate? Yes.

State what you do recollect with regard to the payment for it. 500*l.* was paid at the time the plate was delivered, and the remainder was settled by bills at different dates.

State by whom the 500*l.* was paid in the first instance. The 500*l.* was not paid to myself, but it was paid, I believe, to Mr. Birkett, as well as I can recollect.

Do you know by whom it was paid? I do not.

Do you know how it was paid, whether in cash, in bank-notes, or

how? In two notes, one of three, and the other of two hundred pounds.

Do you recollect by whom those bills were drawn, by which the remainder was paid? To the best of my recollection, they were drawn by Mrs. Clarke.

Upon whom were they drawn? The Duke of York.

Do you of your own knowledge know that those bills were afterwards paid by the Duke of York? Certainly I do.

Did you yourself offer those bills to the Duke of York for payment? I did.

Did you see the Duke of York at the time you offered them? Yes.

Do you recollect what conversation passed between the Duke of York and yourself at the time you offered those bills for payment? No, I do not.

Do you recollect the Duke of York ever speaking to you at all respecting the service of plate? No, I do not.

How did the Duke of York settle those bills? By his own drafts upon Courts.

Do you mean to state, that the whole amount due for the service of plate, over and above the 500*l.* which you state to have been before paid at the time, was then paid by the Duke of York upon those bills? Certainly.

Is there any body residing at Mr. Birkett's that was in the situation you now hold, at the time the bargain was made for the plate? No.

Do you know where the person is who held the situation which you now hold, and who was he? The person who held the situation is dead.

What was his name? Thomas Walker.

[Mr. Parker produced Mr. Birkett's bank; and the account given in on the 9th instant was shewn to the witness.]

(To Mr. Dockery.) Refer to that account, and state whether it is the account to which you have alluded. Certainly.

Are those the notes, to the best of your knowledge, for which you received payment from his Royal Highness the Duke of York? The notes that are entered here were the notes received of his Royal Highness the Duke of York.

On account of that plate? Yes.

State the amount of the whole. 1,821*l.* 1*s.* 4*d.* that includes the 500*l.*

[The witness was directed to withdraw.

Mrs. ALICE HOVENDEN was called in, and examined by the Committee, as follows:

Do you know Mrs. Clarke? Yes.

Do you know Colonel Shaw? I never saw him but once.

State what passed at that interview. I had been some time negotiating with Mrs. Clarke for an exchange for Major Shaw, and he begged to know the principal; I said it was Mrs. Clarke, and I particularly requested that he would not mention to Mrs. Clarke that Mr. Donovan knew any thing of the matter.

Relate what passed at that only interview you had with Colonel Shaw. That was all that passed, except giving him a card or a note, I forget which, to Mrs. Clarke, merely saying that was Major Shaw.

What was your reason for wishing Mr. Donovan's name to be kept a

secret? Mrs. Clarke said she was afraid that Mr. Donovan would mention to the Duke of York any thing of the business, which would be *betraying*.

When was it that Mrs. Clarke expressed that fear to you respecting your telling Major Shaw of Mr. Donovan? The first day I ever saw her.

This was before you mentioned Colonel Shaw to Mrs. Clarke? Yes.

Did you ever mention Colonel Shaw to Mrs. Clarke till after the interview you had with Colonel Shaw? I saw Colonel Shaw but once, and never saw Mrs. Clarke but twice since.

Did you ever mention Colonel Shaw to Mrs. Clarke till after the interview you had with Colonel Shaw? I had mentioned Colonel Shaw to Mrs. Clarke a long time before I saw Colonel Shaw, nearly three months.

In what way had you mentioned Colonel Shaw to Mrs. Clarke? As a gentleman who wanted a lieutenant-colonelcy from his majority; he was a major, and he wanted to get a lieutenant-colonelcy.

How did you know that Colonel Shaw wanted to get a lieutenant-colonelcy? After I had seen Mrs. Clarke, I mentioned to Mr. Donovan, a gentleman I had known for many years, that I had got some very great interest, and that if he knew any person that wanted any thing in the army line, I thought I could get it; I refused to tell him where it was, or from whom.

Was it Mr. Donovan who mentioned Colonel Shaw to you? Yes.

What did Mr. Donovan state to you of Colonel Shaw, when he mentioned him to you? He said that he had very great recommendations, and had, I think it was, General Burrard's interest.

What further did Mr. Donovan say of Colonel Shaw to you? He said he would give 700*l.* I think it was 700*l.* for a lieutenant-colonelcy.

Did Mr. Donovan tell you any thing further respecting Colonel Shaw? Not at that time.

Where did this conversation pass you have now alluded to? I think it was in Charles-street.

In consequence of this, did you apply to Mrs. Clarke to get Major Shaw a lieutenant-colonelcy? Yes.

Were you to have any part of that sum of money which you have mentioned, provided the lieutenant-colonelcy was obtained? No.

What was done in consequence of your application to Mrs. Clarke? Nothing at all.

Did the business break off, or did it die away? On the night of the day on which I sent the note to Mrs. Clarke, I received a note from her, inclosing me Major Shaw's security for the sum, saying she was sorry she could do nothing for Major Shaw;—previous to this, Mrs. Clarke sent for me to describe the person of Major Shaw, his connections, and his interest, without which, she said, she could not mention the affair to his Royal Highness;—I could not then describe his person; I said his interest was General Burrard's, and he had lately met with some very great family misfortune; I believe his brother drowned, or something of that kind. Mrs. Clarke answered, that will do, I shall tell his Royal Highness that I do it in compliance with the request of a very old friend, and in compassion for his present calamity; let him get two months leave of absence, through some general

officer, during which period I shall try and work upon the feelings of his Royal Highness, to accomplish my purpose, without his suspecting the cause.

It was after this you sought an interview with Colonel Shaw? Yes. For what purpose did you seek that interview? It was Colonel Shaw sought it.

Did you then relate to Colonel Shaw what had passed between you and Mrs. Clarke? I do not think I did.

Was the matter broken off by any particular circumstance, or did it die away? I know no circumstance, except a note which Mrs. Clarke sent me.

Do you recollect your ever speaking of Colonel Shaw as having broken his word with you? He certainly broke his word with regard to telling Mrs. Clarke Mr. Donovan knew the circumstance.

Did you ever complain of his having broken his word, in not having made you a present? Never, because he did.

What present did Colonel Shaw make you? When I returned Colonel Shaw his papers and the security, he sent his compliments, and was sorry for the trouble he had given me, and inclosed me 10l.

Do you know any thing of a second application of Colonel Shaw's to Mrs. Clarke? I certainly do not.

Do you recollect the date of the transaction which you have been speaking of? The first time I ever saw Mrs. Clarke was in December, 1804.

Had you ever more than one conversation with Mr. Donovan upon this subject? I cannot recollect, I have been in the habit of visiting Mr. Donovan, and seeing him frequently, and what conversation has passed I am sure I cannot say.

State the date of the transaction you are speaking of. It was, I think, from December 1804, to April, 1805; as near as I can guess.

Do you of your own knowledge know any thing further of Colonel Shaw and Mr. Donovan, in that transaction? I do not.

Were you in the habit of corresponding with Colonel Shaw? I think I must have written letters to him frequently; it was a long period, and he was very uneasy, he was kept in great suspense.

State whether you have any of Colonel Shaw's letters. I returned the whole of Colonel Shaw's letters.

To whom? To the best of my knowledge, through Mr. Donovan.

At what period did you return those letters? I believe it was two or three days after he had seen Mrs. Clarke.

How came you to return those letters to Mr. Donovan? He said that Major Shaw wished to have done entirely with the business, as he was convinced Mrs. Clarke could do nothing.

Then you do not know any thing further respecting the transaction which took place afterwards between Mrs. Clarke and Colonel Shaw? I do not.

Do you know personally or by repute, a Miss Taylor, who appeared as an evidence at the bar of this House? I have seen Miss Taylor, she came to my house one day with her brother, Captain Taylor.

What do you know of the character or repute of Miss Taylor? It is very hard to speak from hearsay; of my own knowledge I know nothing.

From what passed in the transaction between yourself and Mrs.

Clarke, do you believe that there could have been any subsequent negotiation between Mrs. Clarke and Colonel Shaw? I do not think Mrs. Clarke ever heard of Major Shaw afterwards.

Did you ever tell any person, and if so, when, that Miss Taylor was a person of bad repute? I certainly did say that I did not return Miss Taylor's visit, as I had heard something unpleasant.

What was the unpleasant circumstance that you had heard of Miss Taylor, that prevented your returning that visit? It was hearsay; and I should suppose I am not obliged to tell what I have heard, I know nothing myself.

[The witness was directed to withdraw.]

Mr. Barham deprecated such an examination. It was absurd to ask a person who visited Mrs. Clarke why she did not visit Miss Taylor. By questions such as those the investigation of the subject entrusted to the Committee was very little advanced.

Mr. Fuller, in a vehement tone, desired the witness might be called back and insisted upon asking her one question. It should be, whether she would choose to put a female child of her's under the care of Miss Taylor? "Let the Committee put that question to the witness," said the honourable member "if they dare." (*a laugh*).

Mr. Bragge Bathurst was sure the House would not allow such a question to be put.

[The witness was again called in.]

From your knowledge of Miss Taylor, would you believe her evidence?

[The witness was directed to withdraw.]

The Chancellor of the Exchequer was of opinion that the question was justifiable, and that the character of Miss Taylor might with perfect propriety be spoken of by the witness as to general reputation. In courts of justice it was allowable to ask a witness on oath, whether he would believe the testimony of any other particular individual.

Mr. Whitbread opposed the question. On a review of the evidence, he confessed that he would rather put a question to Miss Taylor respecting Mrs. Hovenden's character, than put a question to Mrs. Hovenden respecting Miss Taylor's character. For his part he was not aware that any thing had appeared to impeach the character of Miss Taylor. She had given her description of a person who, if untrue, might be disproved, but it had not yet been disproved. The only thing that seemed reprehensible in her conduct was her visiting Mrs. Clarke, &c.

The Attorney General spoke to order. The subject under discussion was not Miss Taylor's character, but whether or not the question proposed by an honourable gentleman should be put.

Mr. Fuller.—“Get another witness, get another witness.”

Sir S. Romilly declared, that when such a question as that proposed by the honourable General was put in a court of justice, it was preceded by an inquiry how long the witness had known the party, and what were the means which the witness possessed of appreciating the character of the party.

The Attorney General observed, that the question put to Mrs. Hovenden had nothing to do with the length of time that lady had known Miss Taylor, but related merely to what she knew of that lady's general character.

Sir S. Romilly replied, that the Committee ought to inquire into the opportunities which the witness had possessed of duly estimating Miss Taylor's character. He could assure the House that he never knew such a question put in a court of justice, without a previous inquiry into the means of knowledge which the witness possessed. He was convinced the Committee would see the importance of this point.

The Chancellor of the Exchequer was of opinion, that the question proposed by the honourable General was legalized by the assertion of the witness, that she knew Miss Taylor to a certain degree. To inquire particularly into the means by which she obtained her knowledge was not antecedently required in point of law.

Mr. C. Wynne did not think the question was likely to produce the least information.

[The witness was again called in, and the question proposed.]

I declare I do not see how I can answer such a question as that, it is merely matter of opinion, I cannot answer it.

Where do you live? In Villiers-street, No. 29.

How long have you lived there? I believe not quite three months.

Where have you generally lived? Where I lived before that was in South-molton-street.

How long have you lived in South-molton-street? Upon my word I cannot recollect.

Cannot you recollect how long you have lived in a street? I went to it at two different periods.

How long have you generally lived in any one street? I had a house in Panton-square.

How long? Two years and a half.

When did you leave it? In 1806, I believe in June.

Did you live there, when you visited Mrs. Clarke? I never visited Mrs. Clarke.

Did she visit you when you lived there? No.

Where, then, did you see Mrs. Clarke? I went to Mrs. Clarke on business.

Have you before stated all the business that you went to her upon? No.

Then state what other business. Pardon me; what other business I had with Mrs. Clarke was for commissions for other gentlemen, whose names have not been mentioned, for whom she never did any thing.

Did you ever send the names of those other gentlemen to Mrs. Clarke, or communicate them? I never sent them to her, I took them to her.

You delivered them into her own hands. Yes.

Then state the names of all those gentlemen; how many were there? I do not really recollect that.

State their names. I said before, I could not do that.

Endeavour to recollect, and state their names. It is not for want of memory, or want of respect to the House, but I cannot name them.

Mr. Brand objected to the question. It seemed to him unnecessary to state the names of persons against whom no charge existed, as was evident from the witness having herself said that they had not yet been mentioned. He thought it extremely unfair to put such a question to a person of whose veracity the Committee could not but have increasing doubt. Her loose statements might be of serious detriment to many respectable persons, and if the Honourable Baronet persisted in his question he should feel it his duty to take the sense of the Committee upon it.

Sir J. Graham declared that he had no other view in the question, but that which related to the general course of the proceeding.

Lord Fulkstone expressed his astonishment at the objection that had been made. The Committee was instituted for the express purpose of inquiring into abuses, and many great abuses, had already been discovered. Here however was a question which promised to lead to the development of further and more flagrant abuses, and now the honourable gentleman got up to object to its being put. Whoever referred to the instructions that the Committee had received from the House, must be convinced that the question was a good one, and ought to be proposed.

Mr. Brand observed, that the witness had distinctly

stated that no proceeding had taken place; as therefore no injury to the public had resulted, to inquire into the subject would be attended only with inconvenience.

Mr. Fuller could not see why those persons who were involved in this transaction should not be dragged forth to public view as well as the Duke of York. For his part he would go on and trace the business from the fish-monger and sell-monger. It would not be fair for the Committee to make one individual smart, while others; perhaps much more culpable, were allowed to go free.

Mr. Whitbread said, that it was impossible for the Committee not to proceed. As to the assertion against his honourable friend, that as the applications against the persons alluded to had not terminated successfully, any inquiry into the subject was unnecessary, it appeared to him to be a most unfounded assertion. The practice of the Committee was in opposition to it. *Mr. Maltby* had that evening been two hours examined, and that altogether on transactions the event of which had not been so successful. *Mr. Donovan* also, who had been repeatedly at the bar, had expressly declared, that not one of the transactions in which he had been engaged had terminated successfully.

Mr. Secretary Canning, although he felt with the honourable gentleman opposite, that the result of the question might be some disclosures very painful to individuals, without being of much service to the public, yet confessed that he could not see how the Committee, with any propriety, could decline proceeding.

Mr. Braid abandoned his intention of dividing the Committee.

[The Chairman informed the witness that it was the sense of the Committee, after discussion, that she should enumerate the names of the persons to whom she had referred.]

I cannot mention their names.

You have stated that it is not, for want of memory, therefore, endeavour to recollect as many of the names as you can. It is because I think it would be a very dishonourable act in me to discover the names of gentlemen who have never been brought forward, and never profited by any one act I did.

General Stewart deprecated a further perseverance in the question. Many respectable officers in the army, and particularly in the militia, had formerly dealt with people who were, or professed to be commission agents. By the answer to the question proposed by the honourable ba-

most individuals might sustain a serious and unmerited evil, for which they could have no adequate redress.

Mr. Whitbread thought, that if the names of the persons alluded to by the witness had been actually conveyed to Mrs. Clarke, the question ought undoubtedly to be answered, but not else. As to the opinion expressed by the gallant general that any individual who should sustain unmerited injury, would be precluded from the opportunity of obtaining redress, he could not admit the justice of it. The Committee had already seen a general officer at the bar exculpating himself from an imputation that had been cast upon him.

Sir A. Wellesley strongly recommended that the question should not be persevered in. Several regulations had within a few years been introduced in the army, for the purpose of preventing officers from dealing with commission brokers. If the last question were answered, it might implicate the characters of many very respectable individuals, who, after all, as it appeared, had not succeeded in obtaining their object. The Committee was to inquire into the conduct, not of Mrs. Clarke, but of his Royal Highness the Duke of York, and therefore unless it could be shewn that the applications reached the Duke of York, the Committee had nothing to do with them.

Lord H. Petty denied that the character of any respectable individuals could be injured by the answer to the question proposed, unless, indeed, that answer laid the foundation of more satisfactory proof of culpability. In that case, he should be far from lamenting the event; for as the regulation to which the honourable baronet alluded, was well known in the army, it certainly ought not to be infringed with impunity.

Mr. Canning proposed, that when the witness was called in, the first question put to her should be, whether or not the names were mentioned to Mrs. Clarke? and that if they had, she should be required to state them to the Committee.

The witness was recalled.

[The Chairman stated to the witness, that the house was armed with power to compel her to answer, and to inflict a very severe censure upon her if she did not answer the questions, which it was the opinion of the House should be answered.]

Had your authority from those persons to whom you referred, to give their names to Mrs. Clarke? I cannot recollect that, I declare.

Did you ever carry the names of any persons to Mrs. Clarke, without their authority? I do not know whether I did or not, I am sure.

State positively whether you did or did not? Indeed my memory does not help me out.

State the names. I cannot.

[The witness was directed to withdraw.]

Mr. Canning observed, that the persons in question might have applied generally to the witness to procure promotion for them, without authorizing her to refer to Mrs. Clarke. Now as the inquiry solely related to the Duke of York, he submitted to the House the expediency of framing the question in such a manner, that it should not be productive of any irrelevant matter. Probably many of those persons had applied to the witness as a commission broker, without being at all aware of her connection with Mrs. Clarke.

Sir G. Warrender called to the recollection of the House a former examination of Mrs. Clarke, in which it appeared that a long list of persons desirous of promotion by her means, had been carried to her by Mr. Dundvan. The names of the persons alluded to by the witness who had just withdrawn, might perhaps have composed this identical list; and he conceived that it was of the utmost importance to get at the fact.

Mr. Whitbread denied that an inquiry into the conduct of the Duke of York was inseparable from an inquiry into the conduct of Mrs. Clarke; or that when that lady was not immediately concerned, investigation should be checked. In his opinion every improper channel that offered itself to the observation of the House, should be strictly inquired into.

Sir J. Graham supported the necessity of the question.

The Chancellor of the Exchequer allowed that, if it were proved that the names went to the Duke of York, and that he acted upon them, there could not be a moment's hesitation on the subject; but the fact fell short of that. It was on this ground alone that the question could be considered at all objectionable, and not from the consideration that the persons might not have authorized the witness to give their names to Mrs. Clarke.

Mr. Yorke was distinctly of opinion that the names ought not to be proclaimed until it could be ascertained that the witness had express authority for communicating them to Mrs. Clarke.

Mr. Huskisson, advertng to the offices that had at that period been open for the purchase and sale of commissions; intimated that the witness might have been connected with one of those offices; in which case the question ought certainly not to be put, as the names of many of the most respectable officers in the army might be wantonly trifled with by such a proceeding.

General Fitzpatrick said a few words, but in so low a tone, that we could not collect their tenor.

Sir James Graham thought it would be unbecoming the dignity of the House not to persist in the question.

General Stewart then again deprecated the consequences of putting the question.

Mr. Barham observed, that if the question were put, one of two things must happen; the witness must tell either truth or untruth—if truth, no one could lament that a criminal transaction should be brought to light;—if untruth, the person accused might exculpate himself at the bar.

Mr. Baring proposed in the first place to ask the witness what answer *Mrs. Clarke* had given her when she delivered in the names?

Mr. M. Mathew declared, that if the question were put every officer in the army would be wantonly exposed to censure. The most respectable men would be stigmatized for no good purpose whatever.

General Phipps also thought it a most impressive question, and thought it ought to be rejected.

Mr. M. Matthew moved, that the question be withdrawn.

Mr. H. Addington could not give a silent vote upon the subject. It was impossible for him to accede to the propriety of the question. Specific charges had been brought against the Duke of York, and to those charges the Committee ought to confine themselves. In the course of the examination of the last witness, it had come out collaterally that she had been employed by other persons to apply to *Mrs. Clarke*. Was that a reason for investigating the circumstance? If such a latitude of inquiry as this were allowed, the examination might employ a whole session, and every other important business must be neglected.

Mr. Wilberforce sympathized with the feelings of those who might be exposed by this occurrence; but he could not consent to consult their tranquillity at the expence of

the general character of the army. Ought it to go forth to the public that when a woman, such as the witness, was examined at the bar of the House of Commons, the House, apprehensive that her charges might be fatally extensive, did not dare to proceed in the investigation of them.

The Chancellor of the Exchequer urged another consideration which influenced him to allow this question to be put. If the witness should produce the long list spoken of by Mrs. Clarke, and if it should turn out that not one person on that list had been successful in his application, what must be the natural inference? When out of fifty-two applications only two were successful, it was pretty evident that their success was that of accident, and not of preconceived design. On this account, he thought that it would be but doing justice to the Duke of York to put this question.

Mr. Dundas also spoke in favour of the question.

Mr. Bathurst wished the question might be put, if it would lead to any elucidation of the subject, which he believed it would do.

After a few words from Mr. Huskisson, Mr. M. Mathew withdrew his motion.

[The witness was again called in, and informed by the Chairman, that it was the opinion of the Committee that she must answer the question put to her, and that the House had power to inflict very heavy punishments, and never more severely exerted that power, than in the case of witnesses who conducted themselves in the contumelious manner she had done.]

State the names of the persons you carried to Mrs. Clarke. I did not mean the smallest contempt to the House, quite the reverse; and to convince you that I feel a respect to this House, and not from fear, I will state the names: one is Johnson, and another is Williamson.

Are there any other names? I do not recollect.

Endeavour to recollect. I cannot.

You said there were several names, or a long list of names? I do not think I said that, I said there were some.

Did you never deliver the names of any other gentlemen but Johnson and Williamson? I do not recollect any other; I think I had others, but I do not recollect their names.

You did deliver others? I recollect those, because they are my own acquaintances.

What are their christian names? They are, George Johnson and William Williamson.

Where do they live? I cannot tell you that, it is now three years ago.

Where did they live then? Upon my word I do not know where their lodgings were.

You have said that they were acquaintances of yours? I am sure I cannot tell where they lived, I did not ask the gentlemen their residence.

You stated they were acquaintances? Yes.

Do you now state that you did not know where your acquaintances lived? They had not long arrived from Ireland.

Were they in the army? They never were, nor to my knowledge have not been in it yet; they were three months trying to get in through Mrs. Clarke, and could not.

Did you deliver any other list to Mrs. Clarke but those two names? I never delivered a list to Mrs. Clarke?

Did you ever deliver any other name to Mrs. Clarke? I cannot recollect any other name I delivered.

Are you a married woman? I am a widow.

How long have you been a widow? Nearly six years.

How long did you live in South-molton-street? At two different periods, I suppose about a year and a half, but not altogether.

Were you in a house or in lodgings? I was in lodgings.

Did you ever apply to Mrs. Clarke to procure leave of absence for any officers? I never did to my recollection.

Not for Major Shaw? She told me she could not get leave of absence for him; I was to tell him to get it through General Burrard.

Then you did apply for Major Shaw? I sent word to Major Shaw, that he must get two months leave of absence.

Did you apply to Mrs. Clarke to procure that leave of absence? I did not; she applied to me to beg Major Shaw would get two months leave of absence, that, during that time, she might have time to work on the good nature of the Duke of York, for fear he might suspect there was any thing improper in the transaction.

What answer did Mrs. Clarke give you, when you carried those two names you have stated to the Committee you carried to Mrs. Clarke? She said she would try, but must be very careful to have time, for fear there might be the smallest suspicion that it was a money transaction, as that would ruin her.

Did she express any desire that it should be particularly concealed from the Duke of York? She certainly did.

You live in Villiers-street, do you not? Yes.

Are you in a house there, or in lodgings? In lodgings.

What is the name of the person to whom the house belongs? Adair.

Are there any other lodgers in the house besides yourself? I believe there are.

Is the Adair who keeps the house a man or woman? A woman.

How long have you known Mr. Donovan? Eighteen years, I believe.

When did you last see Mr. Donovan? This moment.

When did you last see him, before you came to this House? Yesterday.

Are you in the habit of seeing him pretty constantly? Constantly.

Have you any knowledge of any transaction in which Mr. Donovan is engaged? None, but that in which I was concerned myself, namely, Major Shaw's.

Is that the only one of the transactions of that nature of which you have any knowledge? I do not recollect any other whatever.

Had Mr. Donovan any concern in that list of names which you state yourself to have given to Mrs. Clarke? No.

Did Mr. Donovan at that time carry on any traffic of the same sort? I know nothing about any thing Mr. Donovan does, only what concerned myself.

When you went to Mrs. Clarke, was it of your own accord, or were you sent by Mr. Donovan? I went of my own accord, without any introduction whatever, and Mr. Donovan never knew that I knew Mrs. Clarke till three months afterwards, and till the business of Major Shaw was finished.

When was that? In April 1803 I think; I cannot be very certain as to the month, but I think it was April.

Was Mr. Donovan acquainted with Mrs. Clarke? Not to my knowledge, and I believe not.

Were you often at Mrs. Clarke's in Gloucester-place? I cannot say how often.

Were you in the habit of going there frequently? No, not very frequently.

How often do you suppose you have been there? Latterly, Major Shaw got very impatient, and I went five or six times, I think, in the last month.

Did you ever go there on any business but that of Major Shaw's? I stated before, that I went on other business, and I have stated the business.

Any other business besides that of Major Shaw, and that of Johnson and Williamson? I do not recollect the other names.

Did you ever go upon any other business but those two occasions? No, I do not recollect any other.

I understood you to state these names of Johnson and Williamson were given up to Mrs. Clarke at the time, with a great number of others? I have not said a great number.

With other names, were this affair of Major Shaw's, and that in which Johnson and Williamson were concerned, the only occasions on which you went to Mrs. Clarke's? I never went to Mrs. Clarke's on any other business but that, till Major Shaw's business was finished, and the papers returned.

Were you well acquainted with the house Mrs. Clarke inhabited in Gloucester-place? Certainly not.

Into what room did you use to go? Her bed-room.

Were you ever in any other room? Yes, the front parlour, and the drawing-room, and the bed-room.

There was very handsome furniture in that House? Very.

Very magnificent? It was very genteelly furnished.

You have seen all those rooms, and have only been there two or three times; do you adhere to that statement? I recollect stating that I was there six times within the last month.

How long have you been acquainted with Mrs. Clarke? December 1804, I think.

The beginning of your acquaintance was in 1804? Yes.

On the occasion of Mr. Shaw? I went before I went on the business of Mr. Shaw's, I went without any introduction whatever.

On what business did you go? I was told she had commissions to dispose of, and without any introduction I went to her and asked her.

Why was your being told she had commissions to dispose of, the

reason of your going there, did you wish to procure commissions? I did at that time.

For whom? I do not know that I had any particular person in view at that time.

You were in the habit of procuring commissions? No, I was not in the habit, that was the first time I went.

Then you did go to Mrs. Clarke upon this business of procuring commissions, besides the times you went about Major Shaw, and Johnson and Williamson? The first time I went to Mrs. Clarke, I told her I came to know if she had any commissions to dispose of.

Was that mere curiosity in you? No, it was not.

What, then, was your motive for making that enquiry? At that period I had met with a very heavy misfortune; my agent in the West Indies died, and a house in London broke, and I was very much embarrassed.

What mode did you adopt to ease your embarrassments? I had hopes that would, I did not conceive it improper.

You sold commissions? I never sold one.

You negotiated the sale of them? I treated, but it did not succeed.

Were all the communications you had with Mrs. Clarke verbal; did you ever correspond with her? I often wrote to her.

You had frequently letters from Mrs. Clarke? I had.

What was the latest period you ever received letters from Mrs. Clarke? I made it a rule, whenever I received a letter from Mrs. Clarke, the next time I saw her to return her her letters.

What is the latest period at which you received letters from Mrs. Clarke? I believe that one in which she inclosed me Major Shaw's security; I believe that was the last, I do not recollect any other since.

Have you never received any letter from Mrs. Clarke within these few months? No, I have not.

And you never kept by you any of the letters you received from Mrs. Clarke? I have not one of them.

When did you part with them? I made it a rule, whenever I went to see Mrs. Clarke, to bring the letter I had received the day before, and to give them to her.

Was that an invariable rule? To the best of my knowledge.

You have stated in your evidence very lately, that you have been frequently in Mrs. Clarke's house in Gloucester-place, and that you have seen her in her bed-room and drawing-room, and several places in that house; is that so? Yes.

How do you reconcile that to the former part of your evidence, where you stated that you had seen her only twice? I never said so.

You mentioned that you would not visit Miss Taylor, out of delicacy; why did not that delicacy operate with regard to Mrs. Clarke, whom you knew to be living under the protection of the Duke of York? I stated before, my reasons for calling upon Mrs. Clarke.

Did you ever upon any occasion receive any authority from Mrs. Clarke to negotiate the sale of commissions in the army? Never.

You have stated, that you were informed that Mrs. Clarke had commissions in the army to dispose of; who so informed you? General report.

Endeavour to recollect some individual who might have told you?

I do not recollect any individual telling me, I recollect asking a gentleman Mrs. Clarke's address.

Who was that gentleman? Mr. Taylor; he is married to a sister of Mrs. Clarke since that.

What object had you in asking him that question? That I might call on her.

You have stated that you were in the habit of returning to Mrs. Clarke all the letters you received from her; what reason had you for pursuing that conduct? She begged I would do so.

Did she state any reason which induced you to do so? For fear any accident should discover her trafficking in commissions.

[The witness was directed to withdraw.]

JOHN CLAUDIUS BERESFORD, Esq. a member of the House, attending in his place, was examined as follows:

Will you look at that letter, and state whether it is the hand-writing of the Archbishop of Tuam? I have seen him write many times, and have no doubt it is his hand-writing.

[A letter of the Archbishop of Tuam was read.]

"Sir,

"In consequence of your application to me, I am ready to give ample satisfaction, and to bear testimony, that I have had assurances from persons in whom I place the most implicit confidence, that you are a gentleman of most unexceptionable character in every respect, of a respectable family, and independent fortune.

"I have the honour to be,

"Sir,

"Your most obedient,

"humble Servant,

"W. TUAM.

"*Crescent, Bath, Feb. 17th, 1806.*"

Addressed:

"*The Rev. Dr. O'Meara, No. 7, Alfred-street.*"

MRS. MARY ANN CLARKE was called in, and examined by the Committee, as follows:

Did you know Colonel Shaw? Yes.

Do you recollect who introduced him to you? Not exactly.

Do you recollect his applying to you to procure any appointment for him through the medium of his Royal Highness the Duke of York? Yes, I do.

State what that appointment was. He wished to be made a Lieutenant-Colonel, and to get into some situation upon the staff.

Did Colonel Shaw promise you any pecuniary consideration on the event of his obtaining the appointment? Yes, he did.

What was the pecuniary consideration he did promise you? I cannot say that I immediately recollect the sum, I believe it was 1000/.

Did you, in consequence of this, acquaint the Commander in Chief with such offer, and apply for the appointment? Yes, I did; previous to his getting the situation, he wished to be Colonel of the Manx Corps in the Isle of Man, where his father had been Deputy Governor.

Do you mean to say that you applied for this situation for him? Yes, I did, but there were stronger claims in another quarter.

Did you then apply for any other situation for him? Yes, I did.

What was that? That which he now holds.

Do you know what that is? Barrack-Master at the Cape of Good Hope; Barrack-Master General, I believe.

Did you receive any pecuniary consideration in consequence of this appointment? Yes, I did.

What did you receive? 500*l*.

Do you recollect how you received that money? I had 300*l*. from Colonel Shaw, and 200*l*. brought by some man, I understood it was a clerk of Coutts's, but I am not positive, and on that account had a great mind to send it back again, thinking it would be made public.

Were you satisfied with this 500*l*? No, I was not.

In consequence of not being satisfied with the 500*l*. did you make any complaint through the Commander in Chief? Yes, I did.

What was the consequence of such complaint? His Royal Highness said, he had told me all along, that I had a very bad sort of a man to deal with, and that I ought to have been more careful, and that he would immediately put him upon half-pay.

Do you know whether Major Shaw was put upon half-pay in consequence of that? He sent me several letters complaining, but I did not trouble myself much with reading them; one of the letters I gave in, to night, I believe; I thought him already too well off, for his conduct to me.

[Letter from Colonel Shaw was read, dated in pencil, off the Lizard, 19th May, 1806.]

"Off Lizard, and a fair wind, 19th May."

"Although I have troubled you so often, and although my mind is nearly convinced that the hardship of which I complained has been rectified by the order of the *Gazette in respect to my reduction being rescinded*, yet whilst even the suspicion of so serious an evil, and indeed an injustice continues, I know that you will make every allowance, and pardon my being so importunate. In addition to the custom of the army being in my favour, (as you mentioned) the following instances are specifically so, and in the same appointment: Lieutenant Colonel Carey, D. B. M. G. Major 28th Regt. Lieutenant Colonel Vesey, D. B. M. G. Canada, Lieutenant Colonel 29th Regt. the late Colonel Brinsley, D. B. M. G. West Indies, retained also his full pay commission until his death; and I believe I stand *singular* in the army, in an officer being appointed to the Staff abroad, and reduced on half pay in consequence. Thus my case bears in point of right. Your feeling will justify my expectations in point of promise and assurances. The first impression of receiving injury at the hands from whence I had trusted to have merited the contrary, are the only excuses I can plead. For any intemperance that may have appeared in my letters, you will, I am sensible, as my mind was at the time affected, readily pardon. The period may arrive in which you will know that, independent of particular consideration, I merited your *good offices*; but until circumstances develop themselves, you shall never understand them through me, or by my means. However severely I have felt, however warmly I may have expressed myself, of this be assured, that you shall not experience uneasiness of my occasioning. Though thus decided at present, yet permit me to say that it does not arise from *viewing otherwise* the severe and cruel injury of putting me on half-pay. Independent of present mortifica-

tion, my prospects in the active line of my profession are ruined by it, and, God knows they are not very brilliant, considering either the length, or the nature of my services. Further, madam, in my present separation from my children, it creates in me sensations particularly painful, when I reflect, that if approaching that state to which we must all at some period arrive, that I could not, (by this measure) have the consolation of resigning my commission *by sale* for the benefit of my large family; and that they should, in this event have no other *memento* of my having served 23 years, than in the expences of the purchase, &c. &c. of some commissions. In such cases the humane consideration of the present Commander in Chief have been eminently distinguished.

"I shall no longer trespass; my only apology rests in that every feeling is involved in the present object. I had even appropriated my full pay for the education of two children remaining in England; but illness has for some time deprived me of all my family. Let me, Madam, owe good offices to you, and I shall be ever grateful. From your explaining this case, I am certain that *his justice* will be extended to me. Let me not be driven from my profession. Do away the present bar to my family, joining me at the Cape; for I am sure that your sentiments will accord, that I ought not not to serve when no longer with honour and on a reciprocal footing with those similarly appointed.

"We are not likely, I fear, to be a healthy fleet; some ships are very crowded, and sickness has already made its appearance; and there are two ships, I hear, without either doctor or medicines. Farewell: and I hope to receive your commands.

"Do away the present evil, and unite the appointments I mentioned, and I will annually remit 300*l*. Whilst I remain, *remember, do me justice*, let not any thing prevent this; allow not self, or family, have ever to say, that we owed misfortune to such a hand."

Addressed:

* Mrs. Clarke, Gloucester-place, 18,

"Portman-square."

I understood you to have mentioned on a former night, that you never had represented yourself as being a widow, do you now abide by that answer? Does the gentleman mean represented, or that I have ever said so?

Have you ever said that you were, or represented yourself to be a widow? If I have ever said so, it was never but at the Court Martial; if it was ever at any other time, it must have been in joke; but I never represented myself to be so; the two meanings are so different, of saying and representing.

Do you ever recollect yourself to have stated yourself a widow at any other time but on the occasion of the Court Martial? I do not; but if the gentleman will put me in mind at what time, or to whom, I will answer to the best of my recollection.

Do you ever recollect yourself to have stated yourself to be a widow at any other time, but on the occasion of the Court Martial? Then I must repeat the same answer.

Have you ever called yourself by any other name than that of Clarke, since the year 1806? I do not recollect that I have; but it is very likely, to avoid bailiffs.

Is it so common a thing in you to assume a false name, that you

cannot positively say when you assumed such a name, or indeed whether you did so at all or not? I only wish the gentleman to point out, and I will answer it immediately, any pointed question.

Is it so common a thing in you to assume a false name, that you cannot positively say when you assumed such a name, or indeed whether you did so at all or not? I do not recollect that I have done so.

Do you recollect to have gone by the name of Dowler? No, I do not; but it is very likely others might call me so; I never represented myself as Mrs. Dowler.

Then you say positively, that you never called yourself by the name of Dowler, or represented yourself as bearing that name? No, I have not, without it might be in joke, and if that is asked me, I will answer the question; it must have been to some acquaintance, if to any body; as I have always lived under my own name.

Did you not, within the time alluded to, live at Hampstead, assuming to yourself the name of Dowler? No. I lived at Hampstead, but under my own name.

Nor in the neighbourhood of Hampstead? No, never any where, but in my own name.

In whose house have you lived at Hampstead? Mr. Nichols's.

How long did you live at Mr. Nichols's? I cannot recollect how long.

A considerable time? Some months.

During the whole of which you passed under your own name of Clarke? During the whole time.

In what year did you live at Hampstead? Part of the year 1808, and the end of the year 1807.

You have stated when you were last here, that you had seen Mr. Dowler but twice since his arrival in England; once on a Sunday, when he called relative to the business now under inquiry, and once in the witnesses' room in this House; do you abide by that assertion? I will not be caught in a story about that, and therefore I shall say I did see him once besides.

Do you mean to say that you were caught in a story, when you before represented that you had seen him but twice? No; it is now perhaps you wish to catch me in one.

Did you not say that you had seen Mr. Dowler only twice? It is very likely I might have said so.

Is that true or false? It is true that I have seen him twice, and it is also true that I have seen him three times.

Where did you see Mr. Dowler the third time which you now allude to? In this house.

How often have you seen Mr. Dowler besides those three times, since his return from Portugal? Those three times. Once since—yesterday.

That is the whole number of times that you have seen Mr. Dowler since his arrival in England? I believe that the honourable gentleman can tell pretty well, for his garret window is very convenient for his prying disposition, as it overlooks my house.

This is the whole number of times that you have seen Mr. Dowler since his arrival in England. Yes.

You are sure of that? Yes.

You are not now afraid of being caught in a story; you answer with effect recollection? If the honourable gentleman wishes it, I will say

I have seen him oftener, if it will at all tend to any thing: I do not wish to conceal that Mr. Dowler is a very-particular friend of mine.

[The Chairman informed the witness that she did not stand there to make observations on the gentlemen who examined her, but to give correct and proper answers to the questions put to her.]

I have, as well as I can recollect.

At what other places than those you have already mentioned, and at what other times, have you seen Mr. Dowler since his arrival in England? I have seen him at his own hotel.

When? The first night he came home, I believe, but which was to have been a perfect secret, as I did not wish my own family, or any one, to know I saw him that night.

Only the first night he came home? And the other times I have stated.

[The witness was directed to withdraw.]

Mr. Wilberforce here observed, that those questions had no tendency whatever to elucidate the important inquiry before the Committee; they were in his opinion irrelevant and foreign to the principal object.

The Chancellor of the Exchequer was never more surprised than to hear such observations fall from the honourable gentleman. Surely nothing was more material in this inquiry than these and similar questions. How could the testimony of the witness be either contradicted or brought into discredit, unless questions were so shaped, that by the answers given, the truth or falsehood of her evidence would be apparent. He, therefore, thought his honourable friend (*Mr. Croker*) was perfectly correct in the train in which he put the questions to the witness.

Mr. Fitzgerald considered the honourable gentlemen (*Mr. Wilberforce*) as perfectly correct in his observations relative to the irrelevancy of the questions, as they merely went to introduce into the inquiry extraneous matter, and could not in any degree affect the testimony of the witness.

Mr. Croker replied with much warmth to the remarks made by the honourable gentleman who spoke last; and insisted not only on the relevancy, but absolute necessity of pursuing the inquiry by such questions as he put to the witness.

Sir G. Warrender admitted that the questions put by the honourable gentleman bore upon the credibility of the witness; at the same time he was not of opinion, that in whatever manner they might be answered, they would imply that sort of contradiction which was calculated to remove the impression of the evidence from the mind of the public. It had been said by a right honourable gen-

Man opposite (Mr. Long), that there were no minutes of the recommendation which led to Mr. Dowler's appointment at the Treasury. Now if it should be found that such a minute did exist—

Here the honourable gentleman was called to order by General Stewart.

Sir George Warrander said, that his object was to shew that the examination of the honourable gentleman (Mr. Croker), could not lead to any result at all satisfactory to the country; and in his opinion, it would be much better to make the questions to bear on facts, than upon any flaw which might afterwards be detected in the consistency of the evidence.

Mr. Bragge Bathurst declared, that if this line of examination was not tolerated, he did not see how the Committee could at all arrive at the truth. If the evidence of only one person was brought to substantiate a fact, it was surely of no small importance to know whether the testimony of this person ought or ought not to be believed.

Mr. Adam contended, that the examination instituted by the honourable gentleman, affected the credibility of Dowler as well as of Mrs. Clarke, and on that account it was of no small importance. Dowler had given in evidence, that he had obtained the appointment through the influence of Mrs. Clarke; he had also declared, that he had only seen her twice since his return from Portugal. Now if he was convicted of saying what was not true in the one case, it was by no means improbable that he may have spoken falsehood in both.

[The witness was again called in.]

Are those the whole of the times you have seen Mr. Dowler since his arrival in England? Yes, they are.

You have stated you saw Mr. Dowler at his hotel; how often did you see Mr. Dowler at his hotel? I have told you, once.

Only once? Only once.

What day was that? I have already stated, it was the first day he came home.

On Thursday? Yes, on Thursday.

What time of the day did you see him at his hotel on the Thursday? At night.

Did you pass under your own name, of Clarke, on that occasion? I passed under no name.

Do you now perfectly recollect that you saw him at his hotel since his arrival in England but on that one occasion, that Thursday night? No, the other times I have stated.

At what hotel did you see him? At Reid's, in St. Martin's-lane.

Did you see him more than one time at that hotel? No, I did not, I saw him at my own house afterwards.

Were you in company with Mr. Dowler for a considerable time upon that occasion? I have stated that I was in company with Mr. Dowler; and I beg leave to ask the Chair, whether this is a proper question, whether it is not unbefitting the dignity of the House?

Did you see Mr. Dowler on the Friday morning?

[The witness was ordered to withdraw.

[The witness was again called in, and the question was proposed.]

My visit continued till the Friday morning.

Had you any credit with the Duke of York's bankers? Which of them?

With either of them? With neither.

Did you ever draw any bills upon the Duke of York, which he accepted? No; it was given out at the Horse-Guards, that I had committed a forgery upon the Duke for 2000*l.* which I did not, and it followed me all over the country, and many persons were very much inclined to believe it, as Mrs. Hamilton Pye, Colonel Gordon's sister, said she knew it of her own knowledge.

Did you ever draw any bills upon the Duke of York, which he accepted? No, he always drew them and accepted them himself; I never had any thing to do with them, he did the whole.

Do you mean you never sent a bill, drawn upon the Duke of York, to Birkett's the silversmith's? Once or twice his Royal Highness gave me small bills for three or four hundred pounds, but they were his own signing and drawing up; it was to get my necklace, or something in that way, from Parker's, in Fleet-street, but I never drew a bill, nor never touched any thing of the kind: but I was always obliged to sign something else private to Parker, for he would not take his Royal Highness's bill without my doing so.

Then you deny that you sent any bill drawn by the Duke of York or yourself upon the Duke of York to Birkett's the silversmith's? I never sent any to Birkett's.

You have stated the number of horses and servants you kept, and that his Royal Highness allowed you only a thousand pounds a year; I believe, you remained under the protection of the Duke of York for three years; during that time did not his Royal Highness pay you to the amount of 25,000*l.* in those three years? O dear, no! He very frequently did not make good his monthly payments, and for the three months before he left me I never had a guinea from him; and although Mr. Adam has stated that his Royal Highness parted with me on account of a bill, his Royal Highness never had the generosity to give me the money for that bill; it was only 130*l.* and I never had a guinea value for it; I had given it to Mr. Corri, to save him from going to prison.

Do you not believe that his Royal Highness, during the three years you were under his protection, paid 20,000*l.* for you including all the various sums that were advanced to you, the payment of tradesmen's bills, &c. &c. during those three years? No, he did not.

Will you undertake to say that his Royal Highness did not pay 15,000*l.* for you during those three years? Do you include his Royal

Highness paying for the house before I went into it, or keeping me and the establishment?

Including every thing, all the advances that were made? I cannot tell what he paid for the house; I can tell what my lawyer got for it.

What was the amount which you got for it? I believe the whole sold for 4,400*l.*; and I think it is proper for me to state in what situation I was, which his Royal Highness knew at the time of our parting: some short time before, I had borrowed different sums of money of my lawyer, to the amount of twelve or fourteen hundred pounds, and I asked the Duke for the lease and he gave it to me, and I gave it up to the lawyer for the different sums of money received from him before the house was got rid of; his Royal Highness had not paid the rent for the last half year, and I fancy the taxes for a twelvemonth were not paid; I always paid the taxes; I took 700*l.* on account to pay the poor trades-people and the servants; 700*l.* was due to Mr. Parker, for tripkets, which were got from him to be sold in the sale.

Exclusive of the house, will you undertake to say you have not received to the amount of 15,000*l.* from his Royal Highness? That I am very sure of.

Can you undertake to say that positively? Positively.

Will you undertake to say positively you did not receive 12,000*l.* from his Royal Highness, including every advance, and articles paid for during those three years? Yes.

Will you undertake to say positively his Royal Highness did not pay 10,000*l.* to and for you? Yes, I can. His Royal Highness paid nothing for me but in gifts, except what he was to have brought me regularly; whatever value it might have been it was in trinkets and those things, it was presents, not in money; I cannot say what the amount of those might be, they all went from me before I left Gloucester-place, which his Royal Highness must be aware of, that I had nothing even to take me out of town. He promised to give me 200*l.* for my journey, but Mr. Adam objected to that to my lawyer, and said, 100*l.* was plenty; but the Duke overruled it, and sent me two some time afterwards.

Will you undertake to say that the whole amount of his Royal Highness's advances to you and for you did not amount to 5,000? No, I cannot say as to that.

Do you mean to say, that except the 1,000*l.* a year, which was given for the establishment, and which was shortly paid, you were not paid any more money, and was it not to a very large amount? No.

Were you paid no more money besides the 1,000*l.* a year? No, I was not. I certainly complained to his Royal Highness, and he said, he would make some future arrangement. I convinced him that it was not more than sufficient to pay the servants' wages and liveries.

Then if I understand you right, you say positively that you had no more to live upon in money than 1,000*l.* a year? No, I should not say that; if I have been very much harassed for any thing, and could not get it from other quarters, and there was nothing in view, his Royal Highness would then bring me 100*l.* extra, or two, perhaps, but I do not recollect even two; I do one or so, one now and then, but not often.

Then in point of fact, the Committee are to understand you did not receive any considerable sums of money to support your establishment, except the 1,000*l.* a year? No.

In the course of your former examination you stated, that his Royal Highness advanced sums of money when unpleasant things happened, and that unpleasant things were constantly happening; do you adhere to that statement? This is what I have been alluding to now, but it never exceeded 200*l.* or came to that; I never recollect his bringing me 200*l.* over what was the allowance; when I first went to Gloucester-place, the first present that ever his Royal Highness made me was 300*l.*; that went for linen and different things.

State what you mean by constantly; how often in the course of a month? I mean in the course of three years.

How often do you mean unpleasant things have happened, when you apply the term constantly? I think it is an improper term; they frequently happened; but Mr. Dowler has relieved several things as well as his Royal Highness, and I think oftener; I do not recollect his Royal Highness's doing any thing above twice.

Do you mean to say that twice in the course of three years is your explanation of constantly? I have said that the word was improperly used.

You have stated, that when the Duke of York quitted you, he left you in debt upwards of 2000*l.*; was that beyond the sum for which you sold the house, and was not the house left to you for the express purpose of paying your debts? There was no money left after the small debts were paid, and the 700*l.* I had paid among the poorer sort of people and the servants, which the lawyer can prove; I have stated that there was 400*l.* or 500*l.* to Mr. Harry Phillips, for his commission; I had no balance coming to me. His Royal Highness has stated, that I had trinkets to pay the debts as well as the house, but he knew where the trinkets were; Mr. Comrie can state the whole.

How soon after you went to live in Gloucester-place did your distresses begin? A long time after; I was perfectly clear of debt when I went there.

Did you receive any considerable sum beforehand from his Royal Highness, or only received the instalments of 1000*l.* a year when you went there? I had 500*l.* to buy some little necessary things in plate and linen.

That was the 500*l.* you mentioned before? Yes.

Then that 500*l.* no part of it went towards the establishment? No, it went immediately in necessities.

How soon did you begin the establishment which you stated the other night, as to the number of servants, horses, and other expences? Immediately.

Were you accurate in stating, that what you had from his Royal Highness would only pay the liveries and wages? Very soon afterwards I found it.

Then how did you support this establishment in other respects; how did you feed the servants, and where did you get your monies for the other expences you might have had? Some of the money has come before the House, the manner in which I used to get it.

How soon did that begin after your establishment in Gloucester-place? I should think about half a year perhaps; I never began it till I felt distressed, and the hints I had from his Royal Highness; he told me that I always had more interest than the Queen had, and that I might use it.

Had your distresses begun before the end of the six months; if not, how soon afterwards? I was going on in credit at the beginning.

How much do you think you were indebted at the end of the first six months? I really cannot say, I was always frightened to look at it.

Then you were largely indebted at the end of the first six months? Very much so.

Then your distresses must have begun, and your pressure by bills must have begun, very shortly after that time? Yes.

Did they not continue during the whole of the three years? Yes, they did.

Can you say nearly to what number of persons you might be indebted on account of your establishment; what number of creditors you had? That is quite impossible; I have a list of a great many at home, of all that I owe money to.

Do you think you had fewer than fifty? I should think not fewer than fifty; but it might be fifty, or perhaps more.

They were all very pressing? Most of them, as soon as I got in debt, pressed for places.

Did they not press for money? When they found I did not take them up in the other way.

How long were they before they found that? I always felt it was impossible to recommend a tradesman to any place; and one that was about me especially.

Then they soon found they could get no places? Yes, I suppose they did.

Then they immediately proceeded to demand their monies, did not they? Yes, they did; but they were always very willing to serve me, because they were handsomely paid in the end; they charged me quite as high as ever they charged the Duke himself, if not higher.

Did not numbers of them proceed, at the expiration of six months or thereabouts to bring actions against you? Yes, they did.

Did not many of those actions proceed, so as to incur great costs, besides the debts? Yes, very great indeed.

What do you say you were indebted when the establishment in Gloucester-place broke up? Under 3,000*l*.

Then how were those great debts paid that were incurred, and which were so continually pressed for, from the expiration of six months, and greatly swelled by the costs of the actions? I found means in some way or other to satisfy them.

Were not those means supplied directly or indirectly, to a great amount, by the Duke of York? No, never.

Can you then take upon yourself to say, that many bills, upon which actions were brought, and the costs incurred, were none of them satisfied by the Duke of York? No.

How do you know that? I know it as well as I know any other circumstance.

Did you pay them yourself? Yes.

How long after your living in Gloucester-place was it before you were enabled to get any sums of money, by the patronage you talked of? Perhaps three or four months, or five months, I cannot exactly say.

Can you say to what amount you got by it in the first year? No, I cannot, I never took any account.

Can you say to what amount you got by it in the course of the three years? No, I cannot, I never took any account whatever of any thing.

Did the Duke of York defray the charge of no part of your expenditure, such as horses and carriages, independent of the allowance? He bought one carriage, which I stated before.

Did he purchase any horses? For about six months I had job horses, the others I always purchased myself. I lost about 900*l.* in one year, in the purchase of horses.

Were those horses kept at the expence of the Duke of York, exclusive of the allowance? No, they were not.

Do you know the father of Miss Taylor, who was examined here the other night? I do.

How long have you known him? I have known him about ten years, but I have never seen him above half a dozen times.

Have you always known him by the name of Taylor? Always.

Did you ever state to his Royal Highness that 1,000*l.* a year was insufficient to support your establishment? Yes, he knew it.

Miss Taylor stated herself to be very poor; have you been kind to her, and made her presents from time to time? Yes, I have.

Have you lately? Yes; I have not within these two months; about Christmas she told me she should get the money for her scholars, it was previous to that I assisted her.

To what amount did you assist her? Very trifling, I had not much within my own power.

Did the Duke of York ever send out bills in your name, for which he received the money himself? I have asked for money for his Royal Highness of a gentleman, but the Duke wanted to give a longer bill for it.

Of your own knowledge, can you say, that the Duke of York was in the habit of drawing bills at date, in which he placed your name? No.

Do you know that these bills, by which the plate at Messrs. Birkett's was paid for, were drawn in the way alluded to? I never saw the bills; I should rather suppose they were drawn upon himself, and signed Frederick.

Do you recollect ever getting any money for the Duke of York, upon any bills drawn by himself, or any paper of that description, that he gave you with his name upon it? No, I do not think that I did.

You spoke of having a house at Weybridge; was that house ever repaired at your expence? Yes, it was thoroughly repaired, and I built a two-stall stable there; I laid out between 200*l.* and 300*l.* upon it, if not more; I believe more; there was 40*l.* or 50*l.* alone for oil-cloth, to screen his Royal Highness; to screen his visits, when he was going backwards and forwards, from the neighbours.

Do you know what your diamonds cost the Duke of York? No, I do not; I never asked.

Were those diamonds ever in pawn, during the period you were with the Duke of York? Very frequently; and I recollect that when Mr. Dowler paid me 800*l.* I took them out; so that Parker's book would convince about the time that he got his appointment, and I received the money from him; it was within two or three days of his being gazetted, either after or before.

Was the Duke of York acquainted with the circumstances of your diamonds being in pawn? Yes; because he gave me his own bill once, and something else, payable to Parker; Parker can shew by his books who it was payable to.

Do you recollect the amount of that bill? 400*l*.

You have this night stated, that if ever you called yourself Mrs. Dowler, it must have been in joke; and you have stated also, that when you were at Hampstead, you had not called yourself Mrs. Dowler? No, I had not, never.

State whether you might not then have said any thing of that kind in joke? I might have said that in joke; but I never represented myself as Mrs. Dowler, nor as any thing but exactly what I am, except at the court martial.

Did you receive any letters when you were at Hampstead? Yes, I did.

Do you recollect how those letters were directed; were they to Mrs. Clarke? To Mrs. Clarke, or else to Captain Thompson, for I was afraid of being arrested; or to Mrs. Nichols, the woman's name who waited upon me; she acted as my cook; she was the mistress of the house.

Do you recollect any letter or letters directed to you as Mrs. Dowler? No, never; I never had such a thing.

Was Miss Taylor in the habit of visiting you frequently in Gloucester-place? She almost used to live constantly with me there, she would be there two or three days in a week; that was when her father's misfortunes were beginning.

Was Miss Taylor in the habit of dining, when she was there, with the Duke of York and yourself? Very frequently.

Do you recollect the names of the servants that used to wait upon you at dinner in general? I never used to let the livery servants come into the room, very seldom or never, the butler in general; the other servants used to bring the tray to the door; but she has been seen in the drawing-room by the maid servants, as well as the other men and the butler.

Had you a foot-boy of the name of Samuel Carter? Yes, I had; but Colonel Wardle told me he would not mention that.

State whether Samuel Carter was in livery or not? No, he never wore livery.

Did he attend your carriage when you went out? Sometimes, if I had no servant in the way; but I liked to spare him as much as I could.

But he was in the habit of waiting at dinner upon the Duke of York, yourself and Miss Taylor? Yes, he was.

He constantly waited at dinner during the period he was in your service? Yes.

How long was he in your service? I should think about a twelve-month, not all that time in Gloucester-place.

Where did he live before he came to you? With Captain Sutton.

As his foot-boy, or in what capacity? Captain Sutton was lame, and he was every thing to him.

At Gloucester-place did he do the work jointly with the other foot-men? Yes.

Was he perfectly well known to his Royal Highness the Commander in Chief? Yes, he was.

What is become of him? He is in the West Indies.

Did you get him a commission in the army? Yes, I did.

In what regiment did you get him a commission? Where he is now, in the 16th foot; I think he is one of the staff.

Do you know why the Duke of York withdrew his protection from you? Mr. Adam states, that was in consequence of my pleading my marriage to a bill of 130*l.*; but I can prove the contrary to that, as I had done it once before, and he knew it; and the man had sent threatening letters to him, and to the whole of his Royal Highness's family; his name is Charman, a silversmith, in St. James's-street; I have my own opinion of the separation.

Did his Royal Highness assign any reason for it? No, he did not; but I guess the reason.

Was it on account of your interferences in military promotions? No, it was what Mr. Adam stated, upon money matters; but not that one of the bill.

You stated, that you had been frequently conversant in military promotions, and sometimes successfully; can you confidently state, and risk your veracity upon it, that the Duke of York was ever privy to one or more of those transactions? To the whole.

Do you mean to state, that you did not represent that Mr. Dowler was your husband, when you were at Hampstead? No, I did not represent.

Do you mean to state, that you did not say that Mr. Dowler was your husband? I might have said so very possibly, but never serious, because they must have known better, whoever I said it to.

Did you or did you not ever say, that Mr. Dowler was your husband? I think it is very possible I did say so in the manner I have stated.

Do not you know that you did say that Mr. Dowler was your husband? No, I do not.

Did you not assign a reason for keeping your marriage with him secret? I do not recollect that I did; I could only have said it to some one who was very intimate with me, and knew all about me, and could have no view in it.

Was Mr. Dowler ever in the same house with you at Hampstead? Yes, he was very frequently, during the time he was in England.

Did he sleep in the same house? Yes, he did, several times, but not with me.

Had Mr. Dowler any acquaintance with any person in the house, except yourself? There was no one there except myself and my children, and a French young lady, and Captain Thompson.

In whose house were you at that time? Mr. Nichols's house.

Do you mean to say, that during the time you resided in Gloucester-place, a part of the expences of the establishment were not defrayed by the Duke, besides the allowance that he paid to you? I have stated all I can recollect.

Do you mean to say, that none of the bills for the constant expences were paid by His Royal Highness? Yes, I do.

Did not his Royal Highness pay for the furniture of the house? I did not mean to say that, I understood constant expences; I do not put the furniture as constant expences.

Did not the Duke pay for the furniture? Yes, all of it except the

glass; I believe that cost me four or five hundred pounds. The chandeliers, those I paid for myself.

Did not his Royal Highness pay for the wine? His want is a great deal of wine, but I bought wine myself; I kept a great deal of company, and a great deal was drank.

Do you mean to say, that a chief part of the expenses for wine was not defrayed by his Royal Highness? His Royal Highness sent in wine, but it never was enough; I purchased wine myself, both Claret and Madeira; and even that he did send in, he used to scold very much that it went too fast.

To whom did you apply for the commission of Sam. Carter in the 10th Regiment? To his Royal Highness.

Did you apply to his Royal Highness for a commission for Sam. Carter in the name of Samuel Carter? Yes; it was his real name.

Is it the name in which he is gazetted? Yes.

Was that the name by which he was usually called in your family, and even to his Royal Highness the Commander in Chief? Yes, it was.

Was his Royal Highness aware that it was the same person who had occasionally waited upon him at your table, for whom you asked that commission? Yes, he was.

Was he recommended by any body beside yourself? No; I suppose it is in the office; some one has recommended him.

What interval elapsed from the time Carter was in your service till he obtained the commission? I should think he was living with me near a twelvemonth altogether, not entirely in Gloucester-place, but in Tavistock-place likewise.

Did he go immediately from your service into the Army? Yes, he did.

Did his Royal Highness see Samuel Carter subsequent to his being gazetted? Yes, he did.

Did he speak to Samuel Carter on the subject of his having a commission, either before or after he obtained the commission? I do not know what his Royal Highness said to him; but he saw him after he had been down to the Isle of Wight, and joined the depot; he came up to me for some money, and his Royal Highness saw him in Gloucester-place.

Is Samuel Carter any relation of your's? No, not at all.

What part of the time did Carter live with you in Gloucester-place? I should think five or six months; I cannot exactly say, but I know he lived with me many months.

At the time Miss Taylor was dining so constantly with you as you represent, was Pierson your butler? He waited upon her while he was there, and the other also; Sam. Carter has been waiting while she has been with us, and another butler, who has left me.

You have stated, that Samuel Carter was a boy; what age was he when he got his commission? I called him a boy because he was short; I believe he was eighteen or nineteen, of a proper age for the commission.

[The Witness was directed to withdraw.]

5. WILLIAM ADAM, Esq. attending in his place, was examined, as follows:

It appears that an annuity of 400*l.* a year was to be paid conditionally

to Mrs. Clarke; were you consulted by the Duke of York, whether that annuity should or not be paid? I have already stated all I know respecting that annuity, and if the honourable gentleman will refer to the evidence I have given, he will find that I know nothing about the payment of the annuity.

Do you confirm the statement made by Mrs. Clarke, that she had an allowance of only 1,000*l.* a year? If the worthy Baronet will take the trouble to peruse the evidence I have already given, he will find it is perfectly inconsistent with any account I have given that I could possibly answer that question, because I am totally ignorant, as I have already said, of all payments made by the Duke of York, except those which fell under my cognizance as Trustee.

[The Chairman was directed to report progress, and ask to sit again.]

HOUSE OF COMMONS.

TUESDAY, FEB. 14.

On the motion of Lord Castlereagh, the militia enlistment bill was read a third time.

On the question that the bill do pass, it was opposed by Lord Milton, Mr. S. Lefevre, and Sir G. Warrender.

Mr Windham did not wish to let this bill pass without an observation. If there was any thing that prevented him from entering at length into it, it was the variety of objects which it embraced; and the unfortunate inquiry which was now drawing away the attention of parliament, and the whole nation, from every other subject. But this was a reason which should have induced the noble lord not to bring forward the bill at this time; for Mrs. Clarke *bore down every thing now*, with more force than any army could do. The investigation which the House was engaged in was one of the utmost importance, as it promised nothing less than an entire change in our military system.

The bill was then passed.

THE DUKE OF YORK.

The House, pursuant to the order of the day, went into a committee to consider of the charges against his Royal Highness.

Mrs. ELIZABETH BRIDGEMAN was called in, and examined by the Committee as follows:

Do you recollect any thing of Pierson, the butler to Mrs. Clarke, calling to have a note changed the latter end of July, 1803? Yes, I do.

State where you live. No. 6. Vere-street.

In what business are you engaged? A confectioner.

State exactly what passed with regard to that note. I cannot recollect exactly what passed; but I did not change the note.

Do you recollect Peirson bringing a note to be changed at that time? He did bring a note, but I do not recollect seeing the note, and I did not change it.

Have you no memorandums which you could refer to? No.

Perhaps you do not know the amount of the note? I think he said it was a 100*l.* note.

You did not see it; but he said so? I did not see it.

Do you recollect, with any precision, the time, the day, or the month in which it happened? I do not.

Some time in July? I cannot say what time it was, but I recollect the circumstance of his coming with the note.

You cannot even be sure as to the month in which it took place? No.

Was he frequently in the habit of coming to your house? Frequently, to order things for Mrs. Clarke.

To get notes changed? I never recollect his changing any thing more than a small note, which might be to pay any little bills she had contracted.

You do not, of your own knowledge, know this was not a small note? No, I did not see it; he merely asked me whether I could change such a note.

You did not see the note, and did not change it? No.

Do you recollect what was the largest note you ever changed before for him? I do not, but none of any high amount I never changed.

Are you certain that Peirson told you this was a large note? To the best of my recollection he said a 100*l.* note.

Do you recollect whether it was in the summer time? I cannot say positively, but I think it was.

Do you not carry on business in partnership with another person?

There is another person in the concern with Mr. Bridgman; but not exactly a partner; but he knew nothing of the transaction of the note.

Did you, in general, have the management of the money concerns, or the partner, in the year 1805? He had nothing to do with it, he was in the country.

[The witness was directed to withdraw.]

Mr. ALEXANDER SHAW was called in, and the letter from Lieutenant-Colonel Shaw, to Mrs. Clarke, given in evidence yesterday, being shewn to him, he was examined by the Committee, as follows:

Do you know Colonel Shaw's hand-writing? I think I ought to know it.

Do you know that to be the hand-writing of Colonel Shaw? I think I know it to be.

Did you ever see him write? I have.

Do you state that to be his hand-writing? I believe it is.

Have you any doubt about it? I have no doubt about it; it is very like, and I believe it is.

Did you ever see Colonel Shaw write? Colonel Shaw is my son, and we have lived as father and son ought to do; as good friends.

[The witness was directed to withdraw.]

Mr. CHARLES SHAW was called in, and examined by the Committee, as follows:

Of your own knowledge, do you know that 200*l.* was remitted to Mrs. Clarke, on account of Colonel Shaw? No, I do not; but I know that 300*l.* was.

State at what period that 300*l.* was remitted. I received a letter from Colonel Shaw, mentioning that he wished to convey 300*l.* to his friend, and requesting that I would receive that sum of Mr. Coutts, having sent me an order to that effect, and that I would send it by a careful hand, addressed to Mrs. Clarke, No. 18, Gloucester-place. I received the money from Mr. Coutts, in consequence of the order, and delivered it myself at the door.

When was that? I unfortunately, have kept no papers or any letters; but, in consequence of the summons of this House, I called at Mr. Coutts's to-day, and found, from their books, that I received it on the 8th of May, 1806; and I perfectly recollect that I delivered it that day at Mrs. Clarke's door.

Was this a remittance from Colonel Shaw from the Cape? From Bath; he was then immediately to leave Bath for Portsmouth, to embark for the Cape; the letter, I perfectly recollect, stated, that though he had received his appointment through the influence of his friends—

Then you have got the letter? I unfortunately, have it not, for I destroyed it soon after he embarked; but I perfectly recollect that he stated, that though he had received the appointment through the influence of his own friend, Mrs. Clarke had shewn a disposition to serve him; that he had already paid her 300*l.* previous to this, and had received an application for the last sum by way of loan, and that he was loth to refuse her, because he believed there was a disposition to serve him, though the appointment came certainly through the influence of his friend, whom I knew to have been Sir Harry Burrard, who had interested himself very much upon all occasions for this gentleman, and that the appointment was got by him; but that, as this lady has shewn a disposition to serve him, he had in consequence sent this 300*l.* that it was expressly given by way of loan. In consequence of what I read to-day in the newspaper, that Mrs. Clarke declared in this House, that this gentleman had used her ill, and had not fulfilled all his engagements, I beg to declare from my own knowledge, and I am ready to bring evidence to the bar of this House, that Lieutenant-colonel Shaw is a man of as high honour and as good an officer as any man in the King's service, and is incapable of making any pecuniary promise that he has not literally, faithfully, and honourably supported. I beg pardon, if I have been too warm; but it is such a reflection upon this gentleman. I am willing to produce officers, from his Colonel downwards, who will state that he never forfeited an engagement he had made in his life; his services are well known.

[The witness was directed to withdraw.

Colonel GORDON was called in, and examined by the Committee, as follows:

Can you state when Major Shaw was appointed to be Assistant Barrack-master-general and at what period he was put upon the half-pay? I beg to ask, whether you would wish me to answer that question as it

is put to me, or to read the whole proceeding respecting Major Shaw's appointment, from the first to the last.

Answer the question at first as it is put. I do not believe that I have got the document in my possession which can exactly answer that question; it must have been about the end of March 1806, or the beginning of April.

Do you mean that it was the end of March 1806 or the beginning of April that he was appointed Barrack-master-general? I believe he was appointed Deputy Barrack-master-general, and placed upon half-pay immediately afterwards.

Do you know how soon afterwards he was placed upon the half-pay? I cannot from my recollection at this moment ascertain the dates, but they are very easily ascertained; a reference to the army-list, or the documents in the office, or the Gazette, would ascertain it in a moment.

Are there documents in your office that would ascertain it? Yes, there are.

State any thing you know to the Committee respecting the applications that were made for Colonel Shaw's situation. With the permission of the House, I will read all the documents in my possession with respect to the appointment of Major Shaw, Lieutenant-colonel Shaw, The first document is a letter from Lieutenant-general Burrard to me, dated August the 11th, 1804; it is not dated where from, but it was most likely from the orderly-room in the guards.

[Colonel Gordon read the letter.]

"DEAR SIR,

"Aug. 11th, 1804.

"I am so much employed on a board of clothing, that I cannot do myself the pleasure of waiting upon you. The enclosed will inform you of the situation of a friend of mine, whom I wish much to serve. If Col. Clinton is in London, he can tell you exactly how he stands; as can Col. Lorraine.

"If you can put me in the way of serving him, I shall be extremely obliged to you. He has served long, always abroad, and very gallantly, and his father was a brother captain and friend many years back. I request you to excuse the liberty I take and trouble I give you, and believe me truly,

"Your most obt.

"Lt. Col. Gordon, &c. &c.

"HARRY BURRARD."

The next document is my answer to that letter.

[Colonel Gordon read the answer.]

(Copy.)

"DEAR GENERAL,

"Horse Guards, 16th Aug. 1804.

"I fear that your wishes in behalf of Major Shaw cannot be complied with, his Royal Highness being of opinion, that he must join his regiment before any further recommendation in his favour can be attended to.

"Your's, &c.

(Signed)

"J. W. GORDON.

"M. General Burrard, &c. &c."

The next document is Sir Harry Burrard's to me, August the 29th.

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[Colonel Gordon read the letter.]

"MY DEAR SIR,

" Aug. 27th, 1804.

"I shall be obliged to you if you will let me know whether Clinton has spoken to you about Major Shaw; and if you think he may be likely to see the Commander in Chief to-morrow. He has found a major of the 39th eager to go to Ceylon, but he is himself preparing as fast as he can, however distressing it is to him.

"I am truly your's,

" H. BURRARD."

The next is my answer to that letter.

[Colonel Gordon read the letter.]

(Copy.)

" Dear General,

" Horse Guards, 20th Aug. 1804.

"Clinton spoke to me with much warmth about Major Shaw, but having twice mentioned his name and wishes to the Commandet in Chief, I cannot again venture to do it.

"I recommended Major Shaw to speak to his Royal Highness, and state his situation.

(Signed)

"Your's,

" J. W. GORDON."

" M. General Burrard, &c. &c."

The next letter that appears upon this subject is from Sir Harry Burrard to me, on the 27th of March, 1805.

[Colonel Gordon read the letter.]

Put by.

" Private and confidential.

" My Dear Sir,

" March 27th, 1805.

"My friend Shaw's health is by no means re-established, and his family still in extreme distress from their recent losses and misfortune. I could therefore wish his leave to be extended for two months, and I am sure it would prevent infinite distress to him. If you can manage it for me I shall be extremely obliged to you.

"I have heard it whispered, that it was possible rank could be obtained by raising men. If it is so, and this could be allowed him, it would most materially serve him, and do away the mortification I am afraid my want of skill has occasioned; and I should not have to reproach myself at any rate with want of success.

"I am afraid his leave will be soon out, and his anxiety will, of course, be great. Pray excuse the trouble I give you, and be assured that nothing can afford me more pleasure than serving you, as I really am

"Your obliged hum. serv.,

" HARRY BURRARD."

The next is my answer to that letter, dated the 20th of March.

[Colonel Gordon read the letter.]

(Copy.)

" Horse Guards, 20th March, 1805.

" Dear General,

"His Royal Highness has much pleasure in complying with your request for a prolongation of leave of absence for Major Shaw, which

leave has been extended for two months, from the expiration of his present leave, and the same has been notified to the Adjutant-general.

"At the same time it is but just to hint to Major Shaw, that there is a duty to the service, to which the Commander in Chief, however anxious his Royal Highness may be to relieve the distresses of individuals, must give attention; and, if the circumstances of Major Shaw are such as to preclude him from joining on so remote a service, he should retire upon the half-pay until some more favourable opportunity.

"Ever yours, &c.

(Signed)

"J. W. GORDON.

"P. S. There is no intention at present on the part of government to raise men for rank in the Infantry.

"Lt. General Burrard, &c. &c."

The next is from General Burrard to me on the 10th of May following.

[Colonel Gordon read the letter.]

"C. R.

"Speak to me.

"My Dear Sir,

"May 10th, 1805.

"I cannot sufficiently acknowledge, in General Archer's name and my own, how much we feel obligation to his Royal Highness; I sincerely hope Archer will have opportunity of evincing his gratitude and zeal.

"Since I spoke to you concerning Major Shaw, he has called upon me to inform me that he cannot, conditionally *not to pay if he does not proceed to India*, get a passage secured, and that the captains require 400*l.* Now, as he is led to have some hopes still, that an opportunity may offer to promote him, from what his Royal Highness so graciously said, he feels a reluctance to sink so large a sum, if there is a possibility to avoid it. If you could, therefore, soon again recall him to the Duke he would abide by whatever was the determination of his Royal Highness.

"Excuse my troubling you, and believe me truly,

"Your faithful, and obliged humble servant,

"HARRY BURRARD.

"Lt. Colonel Gordon."

The next is my answer to that letter.

[Colonel Gordon read the letter.]

"Horse Guards, 13th May, 1805.

"Dear General,

"I have laid your letter of the 10th instant before the Commander in Chief, and am directed to acquaint you, that his Royal Highness sees no prospect of any early opportunity of complying with Major Shaw's wishes: and that, therefore, it is advisable he should proceed to join his regiment by the earliest conveyance.

"I have, &c.

(Signed)

"J. W. GORDON.

"Lt. Gen. H. Burrard, &c. &c."

The next that I hold in my hand is March 1806, from Sir Harry Burrard to me.

Feb. 14.] COLONEL GORDON'S EXAMINATION.

[Colonel Gordon read the letter.]

" (Confidential.)

" My Dear Gordon,

" March 26, 06.

" I hope you will pardon the anxiety of a soldier to get promotion; and of his friend, and the very ancient one of his old father, to assist him in it, particularly as he is well assured of his zeal and general worth. Under this presumption I inclose a letter from Major Shaw, with my earnest hopes that should any thing turn up, in which you can bring his name forward, that he may not be forgotten. I inclose it for your private reading, and request at your leisure you will return it. I will at any time attend you, to prevent you the trouble of writing, or rather the time of it, for I know the former you do not mind. Your messenger knows where to find me, as I am at this orderly room for two or three hours most days.

" I am truly your's with great regard,

" HARRY BURRARD."

Mr. D.

" I shall be glad to speak to General Burrard this evening if possible, if not, about 2 to-morrow."

The inclosed is from Major Shaw, to Sir Harry Burrard, dated Penvensey Barracks, 19th March, 1806.

[Colonel Gordon read it.]

(Inclosure.)

" Penvensey Barracks, 19th March, 1806."

" My Dear Sir,

" I fear that you must think me presuming on your many kindnesses in again troubling you, and, being without apology, I must rely entirely on your goodness. In making, however, my present request, let me beg that, if attended with any circumstances unpleasant to you, that you bestow no further consideration, than pardoning the liberty of my having made it.

" I shall premise with stating, that previously to my removal from the Ceylon regiment, his Royal Highness had been graciously pleased to promise me promotion, on a favourable opportunity offering; and on my joining the 40th Regiment, I repeated my desire of purchasing, to which I now stand noted by a letter from Colonel Gordon. Having had further assurances given to me of his Royal Highness's favourable intentions, in the admission of my services, being now nearly 23 years in his Majesty's army, that my cotemporaries are generally colonels or old lieutenant-colonels, and that I experienced the mortification of being purchased over by an officer from another regiment, and by many years my junior in the profession; from these circumstances, I am induced to hope, that should Colonel Gordon favour me by bringing my case to his Royal Highness's notice, that I might benefit by some mark of favour in the military arrangements that are expected to take place. It is in this expectation that I venture to trouble you, and I shall feel myself sincerely obliged by your mentioning to Colonel Gordon (should a desirable opportunity offer) my services, disappointments, and present hopes; and I shall esteem it a particular favour his bringing my case at this period to his Royal Highness's remembrance.

"I shall no longer trespass on your time but in offering my best respects to Mrs. Burrard. I remain with sincere gratitude,

"My dear Sir,

"Your's most faithfully, and much obliged,

"J. Shaw."

The next letter is one from General Burrard, March 29th, 1806.

[Colonel Gordon read the letter.]

"(Private.)

"My dear Sir,

"March 29th, 06.

"To shorten the business, I send you Shaw's letter, which is nothing more than to say, that he gratefully will accept, if the deputy barrack-mastercy at the Cape can be obtained, with the rank of lieutenant-colonel and go there in *three weeks*. I explained *that*; and also, that (if it could be obtained) he would be put on half-pay as soon as it could be done. His request is to come to London immediately, if he can succeed.

"I am truly,

Your obliged servant,

"H. Burrard.

"Pray return the letter,

"Lieut.-Col. Gordon."

"C. L.

"The appointment is now to go on."

I did not return the letter, and I now have it in my hand; it is a letter from Colonel Shaw to General Burrard.

[Colonel Gordon read the letter.]

(Inclosure.)

"My dear Sir,

"Penny Barracks, 28th March, 1806.

"I am just honoured with your letter, and I trust you will believe that I feel, though I shall not attempt to express my gratitude, for your present and many kindnesses towards me, and I can only add, that my sense of obligation can alone cease with my existence.

I have, as far as the present time allowed, given every consideration to the proposal you have made me, and should conceive myself most fortunate in succeeding to it, and should be ready to proceed in the time you mention. I have only to request, that should the decision prove favourable, that I might be permitted an immediate leave of absence, as I should have a great deal to arrange in regard to my family. It would be my wish, could I procure an accommodation, to take my wife and two of my children out with me, and to leave the others in this country.

"As our warning for the post is very short, I must conclude, begging my best respects to Mrs. Burrard, and that you will believe me, with every sentiment of sincere gratitude,

"Yours most sincerely and faithfully,

"J. SHAW.

"General Burrard."

The mark I put upon this letter was, "the appointment is now to go on;" it did go on, he was appointed deputy barrack-master-general at the Cape, with the rank of lieutenant-colonel, and, as soon as possible, was put on half-pay. I have further to state to the Committee, that

when this subject was mentioned in the House some evenings ago, I sent to Sir Harry Burrard, to request he would bring to his recollection all the circumstances that took place upon the subject of Shaw's appointment. Sir Harry Burrard waited upon me on the 30th of January last, and put this paper into my hands.

[Colonel Gordon read the letter.]

The following day Sir Harry Burrard sent me this letter.

[Colonel Gordon read the letter.]

I have now told the committee all I know upon that subject.

In the first letter that you have read, Colonel Shaw refers to some promises made him of promotion by His Royal Highness the Commander in Chief; do you know what those promises were? I cannot state exactly that I do know, but I supposed them to have been the usual answers given to officers who make application for promotion, that their names were noted, and would be considered with the names of other officers of equal pretensions, when future opportunities offered.

You do not know of any other promise which Major Shaw had received? No, I do not.

Is it usual for field officers on the staff to be put on half-pay? When a field officer accepts a staff appointment, it is usual for him to be placed upon the half-pay; it is the general rule of the army: there are exceptions, which I can explain when called upon.

State the exceptions. The best way for me to state the exceptions would be to read to the Committee a list of all the permanent staff-situations, and to state all that are upon half-pay, and who are not, and why.

Was the officer who held the appointment before Major Shaw, on half-pay or full-pay? If I recollect right, Major Shaw was the first person who held it; he was appointed upon the capture of the colony of the Cape of Good Hope.

[Colonel Gordon delivered in a list of the staff officers on foreign stations.]

How many officers holding staff situations, who are upon half-pay now, were on half-pay previous to and at the time they were appointed to those staff situations? Speaking to the best of my knowledge, I believe when they were appointed to their staff situations, they were every one, without exception, on full-pay.

Was Sir William Keir upon full? Sir William Keir was not.

You have stated that the two other staff officers at the Cape are Lieutenant-colonel Sorel and Lieutenant-colonel Harcourt; were either of those officers upon half-pay when they received those appointments? No, they were not, they were put upon half-pay since; the paper I gave in will state it exactly; and I do believe, with the exception of Sir William Keir, they were all upon full-pay; there may be one or two exceptions.

Does Sir William Keir receive his half-pay? That is a financial question that I can only answer as matter of general information; I believe he does not, as he applied for it, and I believe he does not receive it.

Am I correct in supposing that Colonel Kempt was appointed quartermaster general in Canada, on the commendation of Sir James Craig;

Colonel Kempt being at that time absent in Sicily? Yes, he was; Colonel Kempt had no notion of his appointment until it was intimated to him.

Am I correct in supposing that Colonel Kempt would have declined that situation, if it had interfered with his situation as lieutenant-colonel of the 81st regiment? I am quite positive of it, for he repeatedly assured me so.

Is the Deputy Quarter master General in Sicily on full pay, or does he receive any other pay than that of his staff situation? I do not know that he does; I believe that he receives merely the pay for his staff situation, and will be placed upon the half-pay in addition to that as soon as an opportunity can be found, but at the present he is aggrieved by not even having the half-pay; that is Lieutenant-colonel Campbell.

Have the staff officers whom you mention as being on half-pay, been on half-pay ever since they have held those staff situations? I believe I have stated to the House, that to the best of my recollection they were all upon full pay when they were appointed, and were placed upon half-pay as soon as possible afterwards.

Immediately upon their receiving their staff appointments they were placed upon half-pay? As soon as possible afterwards: the Commander in Chief has it not in his power to place an officer upon half-pay whenever he pleases, there must be a vacancy on the half-pay establishment.

I understood you to say that an officer of the name of Bowyer in the West Indies was on the full-pay, holding a staff appointment; what staff appointment does he hold? I said that Major Bowyer was Deputy Adjutant General in the West Indies, and he is the eldest captain of the 59th regiment; he has been ordered to join his regiment, or he will be placed upon the half-pay.

What regiment did Colonel Shaw belong to before he received his staff appointment? Colonel Shaw exchanged from one or two, but I believe it is the 40th regiment.

Did General Burrard command a battalion of the Guards at that time? He commanded the brigade of Guards in London.

Did you state those documents which you read to be all the documents respecting the appointment of Major Shaw? They are all that I know of, in my present recollection.

All those that are in the office? Upon my word I believe so.

Is it customary to appoint an officer to any staff appointment or any advantageous situation, without inquiring of the officer commanding the regiment to whom he belongs, what has been the conduct of that officer? That is the general mode to apply to the officer commanding the regiment; but Major Shaw had not been in the 40th regiment six months, if my recollection serves me right, and General Burrard states that he knew him from a boy.

Is it not customary to apply to the general officer, who is colonel of the regiment, in such cases? No, I cannot say that it is; the colonel of the regiment, not being with his regiment, he is very often not so good a judge of the merits of the officer as the officer actually in the command of it, or many other officers with whom the individual may have previously served.

In point of fact, no application in this case was made to any person but to General Burrard? General Burrard mentions in his letter that he had Sir James Craig for his friend, and I have endeavoured to bring

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to my recollection whether Sir James Craig had ever spoken to me about Shaw; I cannot bring to my recollection that he did, but it is possible that he might.

Had Colonel Shaw ever served under Sir James Craig? I really know no more of it than exactly what Sir Harry Burrard states in his letter; it is most likely he had, for he had served a great deal in India, and it is probable that in India he had obtained the patronage of Sir James Craig.

- Do you know Colonel Meyrick Shaw? There is a Colonel Shaw who has just been removed into the 76th regiment, I believe his name is Meyrick Shaw.

- Do you recollect his being confidential secretary to Lord Wellesley in India, then a major? I rather think that he did hold some appointment under Lord Wellesley, as Lord Wellesley has more than once recommended him to the notice of the Commander in Chief.

- Do you recollect, that in consequence of his purchasing the lieutenant-colonelcy of a regiment not in India, he was put upon half-pay? Yes, I think I recollect that perfectly, that he purchased the lieutenant-colonelcy of the 31st regiment.

[The witness was directed to withdraw.]

The Chancellor of the Exchequer observed, that as there was no charge against the Commander in Chief for an undue exercise of his discretionary power, he thought that the examination of Colonel Gordon was taking a turn that would be useless.

Mr. Whitbread was of opinion that Colonel Gordon should first be asked if the rules of the service had been adhered to in the appointment of Colonel Meyrick Shaw? If they had not, it would then be for Colonel Gordon to state the services which rendered Colonel Meyrick Shaw an exception to the general rule.

[The witness was again called in.]

Was there any deviation from the ordinary practice of the army in the appointment of Colonel Meyrick Shaw to the lieutenant-colonelcy of the 76th regiment? None whatever, it was the constant practice; I stated I believe in my evidence some nights ago, that it was the rule of the army that a junior officer should not be placed over the head of a senior officer of the same rank, that is the junior major of one regiment should not be put over the head of the senior major in another; but Lieutenant-colonel Shaw was a lieutenant-colonel, and he was placed on the lieutenant-colonel's vacancy over the head of the major; that is the constant practice of the army, there has been no deviation whatever in it.

Do you know what recommendation Mr. Samuel Carter had for his ensigncy in the 6th Regiment? Yes, I do.

What is the date of Major Covell's commission as major in the army? August 1807.

From what date does Lieutenant-colonel Shaw take rank as lieutenant-colonel in the army? I should think he has been a lieutenant-col-

Colonel rather better than three years, I have no document by me that will state that accurately.

Do you know that Colonel Meyrick Shaw was a great many years a commissioned officer in the East India company's service, before he came into his Majesty's regular service? I do not know it from my own knowledge, I have heard the very best character of Colonel Shaw, from various officers.

Do you know whether he was removed to the half-pay without receiving a difference? I believe he was.

Is it not a regulation, or at least understood, that whenever an officer is placed upon half-pay without receiving a difference, government is in some degree pledged to place him upon full pay as soon as a favourable opportunity offers? The Commander in Chief has invariably been governed by that rule.

Do you know whether I (*the Secretary at War*) took a particular interest in Lieutenant-colonel Sorel? With the greatest deference to the right honourable gentleman who put that question, I may say that he importuned me upon it.

Did I (*the Secretary at War*) importune you to solicit his Royal Highness to keep that officer upon full pay, as long as he could with propriety be kept in that situation? Yes, certainly.

Do you know Captain Brunker, who either is, or lately was paymaster of the 5th Dragoon Guards? I cannot say that I have that pleasure.

Do you not know that that officer, who is a very meritorious officer, was formerly a private in that regiment? I have already said, that I have not the pleasure of knowing him at all.

Do you know Mrs. Clarke? I never had the pleasure of seeing Mrs. Clarke till I saw her at the bar of this house two evenings ago.

In the series of correspondence which you have read between General Burrard and yourself, there is a letter sometime towards the 28th of March, wherein General Burrard, in the most earnest manner, renews his solicitation on behalf of Major Shaw, and a note is made upon that, desiring to see General Burrard that evening, or early next morning; did you see General Burrard in consequence of that desire so expressed? I think it is most certain that I saw him, for his next letter contains an answer to something I must have said to him.

On that occasion did you suggest to General Burrard, that this appointment of barrack master at the Cape of Good Hope was vacant, or about to be so? I cannot state positively that I did not; I think it most likely that I did.

Had you ever had any conversation with the Commander in Chief upon that subject, and had he [the Commander in Chief] ever expressed any earnest desire to provide for Major Shaw? I do not recollect that the Commander in Chief expressed any desire at all, but I certainly must have had some communication with him, or I never could have ventured of myself to have made such a proposal to Sir Harry Burrard.

Did the Commander in Chief ever speak to you upon the subject of Major Shaw, except when you, in the course of your official duty, made representations to the Commander in Chief respecting Major Shaw? I do not recollect that he ever did, but I beg leave to state, that it is pressing my recollection a little hard, considering that there are eleven or twelve thousand officers of the army, all of whom, or their friends, either correspond with or address me.

Did you ever hear of Mrs. Clarke's selling, or pretending to sell commissions in the army, before it became the subject of discussion in this house? Never, but through the medium of the numerous libels that have been lately published against the Commander in Chief.

Did you ever set on foot any inquiry into the truth of those statements? I have already stated to the house, that in the Autumn of 1804 I had understood that numerous abuses of this kind existed, and I did set on foot every inquiry that it was possible for me to do; I ascertained that these abuses were practised, and in a letter that is now before the house, cautioned the officers of the army against such practices; even subsequent to that letter, I had proof that such abuses did exist, and I obtained the opinion of eminent counsel, and they assured me it was not even a misdemeanor, and that I could have no redress; upon that I represented the circumstance to the then Secretary at War, as I have already I believe stated in evidence to this house, and a clause was inserted in the mutiny act, to impose a fine upon it.

From what source did you receive your intelligence of the existence of those abuses? I rather think that the source was anonymous; but upon inquiry I found that the account was true, and I traced it to Mr. Froome an army broker, and a Mr. Hebden, I believe a clothier in Parliament street: I sent for Mr. Froome; Mr. Froome told me that he had received this money; I think it was nearly 1000*l.* for the paymastership of one of the battalions of the German Legion: I think I am speaking now from recollection, that he told me also that he had only received a per-centage of the money, and paid the money to other hands: after repeatedly pressing him, I think he named Mr. Hebden the army clothier. I sent for Mr. Hebden, and after some conversation, I must state to the house that I was not a little surprized at the impudence of that gentleman, who told me positively that he received the money, and would tell me no more about it; that is the proof to which I alluded.

The name of Mrs. Clarke was never mentioned to you as a party to this or any other similar transaction? Most certainly not.

Did you ever disclose to the Duke of York the circumstance of Mr. Hebden and Mr. Froome? Yes, I did indeed, and to many other people, and took the opinion of lawyers upon it; which opinion I believe, and all the documents upon it, I can, if necessary, lay before this house.

What was the Duke's answer? The Duke desired me to scrutinize it to the bottom, and let it fall upon whom it might, he would make an example of them.

Since this transaction, do you know that Mr. Froome has been employed by Mr. Greenwood? No, I do not know it.

You delivered in a paper from Messrs. Greenwood and Cox, relative to the exchange between Lieutenant-colonel Knight and Lieutenant-colonel Brooke, some of which you stated to have been written in the original in pencil; how did that happen? As this paper is printed, it is incomprehensible almost to me: when this paper was laid before the Commander in Chief, I received his pleasure upon it, and I marked upon it this pencil remark "C. L." (Colonel Loraine) "cannot be acceded to; his Royal Highness does not approve of the exchange proposed." Subsequent to that, inquiries were made as to the services of Lieutenant-colonel Brooke, on whose account it was that the exchange was not acceded to. The result of these inquiries was such

as to induce me to lay the papers before the Commander in Chief again; and this second pencil remark is the result of the second representation I made to the Commander in Chief.

Is it usual to make your remarks in pencil? Sometimes in pencil, sometimes in ink.

Were you acquainted with Mr. Proome, or knew any thing of his situation in life previous to the interview you had with him on the subject of this commission? I knew him as a reputed army broker to a great extent, and one of a description of persons with whom I declared open war the moment I came to the Commander in Chief.

In consequence of the transaction stated by you, were any steps taken to prevent his transacting that agency business for the army? I do not understand that he ever was authorized to transact business for the army, but he transacted it in spite of every thing I could do; he was an army broker, not an agent.

Was it not in consequence of information which you obtained upon this subject that those circular letters were written, and the clause in the mutiny act submitted to parliament? The circular letter was written in consequence of the information I had obtained prior to the fact with which I have now acquainted the house; the clause in the mutiny act was brought into this house subsequent to that, and because I found that I had no redress.

Was there ever any entry made of Colonel Knight's exchange not being approved of by the Commander in Chief? Certainly there was, and sent either to Colonel Knight or Colonel Brooke; I had the letter in my hand the first time I gave evidence before the house.

Through what recommendation in your office did Mr. Samuel Carter receive his ensigncy in the 16th Foot? Lieutenant Sutton of the Royal Artillery.

[The letter was read, dated December 7th, 1801.]

" *Royal Laboratory, Woolwich,*
December 7th, 1801.

" May it please your Royal Highness,

" The kindness that your Highness has at all times most graciously bestowed on me, emboldens me to address you in the behalf of an orphan lad, nearly sixteen years of age, of the name of Samuel Carter, (whose father lost his life in the service, and whom I have brought up and educated,) in hopes that your Highness will be graciously pleased to appoint to an ensigncy; a favour that I should not presume to ask but on the score of my long service and sufferings in his majesty's service; which I hope and humbly trust your Royal Highness will take into your gracious consideration, who am, with all due submission and respect,

" Your Royal Highness's

" most faithful and obedient,

" humble servant,

" THOMAS SUTTON,

" Lieutenant Royal Artillery."

" Lieut.-Col. L."

" From present circumstances, it is not in the Commander in Chief's power to recommend any person for a commission; but the per-

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son mentioned will be noted to be provided for at a future opportunity.

"J. C."

Do you recollect when he was appointed? Here is Lieutenant Sutton's answer to the notification, which will state it exactly.

[The letter read, March 29th, 1804.]

"Lieutenant Sutton presents his most respectful compliments to Colonel Clinton, to acknowledge the honour of his note of the 21st inst. and begs to express how gratefully he feels the appointment his Royal Highness the Commander in Chief has been pleased to confer on Mr. Samuel Carter.

"London, March 29th, 1804.

"Colonel Clinton, &c. &c."

The appointment must have taken place there or thereabouts.

Do you know whether Lieutenant Sutton is dead? Until I looked into these papers, I did not know that such a man existed; I have heard that he is dead.

Are not candidates for ensigncies frequently on his Royal Highness's list for two or three years before they can be appointed? That depends upon the period; at the period of 1801, the reduction of the army, and the period of peace, it was absolutely impossible to appoint him, as the answer states; the answer is in substance upon the body of the letter; but here it is in length.

[Colonel Gordon read the letter, dated 26th December, 1801.]

(Copy.)

"Sir,

"Horse-Guards, 8th Dec. 1801.

"I have received the Commander in Chief's commands to acquaint you, in answer to your letter of yesterday's date, that from present circumstances it is not in the Commander in Chief's power to recommend any person for a commission; but his Royal Highness has directed Mr. Samuel Carter's name to be noted, to be provided for at a future opportunity.

"I am, &c.

(Signed)

"ROBERT BROWNRIGG.

"Licut. Thomas Sutton, Royal Artillery,

"Royal Laboratory, Woolwich."

I should imagine the circumstances alluded to were the reduction of the army.

Have not you recently known instances of candidates, respecting whom there was no disqualification, where they have frequently remained two or three years before they were appointed? Certainly; I dare say there are a hundred upon the Duke's books at this moment or two.

Is there any subsequent recommendation of Mr. Carter? I have no other documents whatever on the subject.

When a recommendation is once in, is it necessary for a subsequent recommendation to come when that candidate is noted upon the list? The usual practice is, when a person sends in a memorial, he follows it up by himself and his friends repeatedly, and commonly in person.

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Do you know the date of Mr. Carter's Commission? I cannot say that I know the date, but it must have been between the 17th and 21st of March, 1804.

In the affair of the exchange between Colonel Brooke and Colonel Knight, had not Colonel Knight previously made an application to be allowed to exchange with Colonel Pleydell? Yes, he had.

Was that objected to? Yes, it was.

Are the documents upon that subject now in the Office? I rather think they are.

Did you ever hear of a person of the name of Hector Stray, an Ensign in the 54th regiment of foot? To the best of my recollection, I never heard his name mentioned before.

Have you with you any means of ascertaining whether there is such a person? I have not with me; but I can ascertain it by eleven o'clock to-morrow morning.

You stated, on a former examination, that you had frequently been in the West Indies; were you not born in the West Indies? I was not; I have the honour of being a Welshman.

To your knowledge, did Mr. Hebden, who received the 1,000*l.* for the paymastership, ever obtain that paymastership? The paymastership was certainly obtained, and that struck me very forcibly when I made the inquiries.

Is it competent to you, in your official situation, to produce the documents of that appointment? I can produce them; it will give me great satisfaction if the Committee will do me the honour to go into them.

At whose recommendation are paymasterships bestowed? The colonels of the regiments, through the Secretary at War.

Has the Commander in Chief any concern with the recommendation for these appointments? None whatever, except the submitting them to his Majesty.

Is it a matter of course for the Commander in Chief to submit to his Majesty those recommendations for Paymasterships, which are approved by the Secretary at War? It is quite a matter of course, when approved of by the colonels of the regiments and the Secretary at War.

Does the recommendation of the paymaster on all occasions originate with the colonel of the regiment, or does the Secretary at War appoint? I understand the practice to be, that the recommendation is with the colonel of the regiment, and it is submitted to the Secretary at War, whose duty it is to take care that the securities are good.

Who was the colonel who recommended the paymaster, in the case of Hebden, to the paymastership? I really do not know who the colonel of the battalion was; it of course came through the head of the German Legion, the Duke of Cambridge.

Who was Secretary at War at that time? I rather think it was General Fitzpatrick, I will not be quite sure.

Is there not an express regulation, that paymasterships cannot be sold? I understand it to be so decidedly.

Do you happen personally to know Lieutenant Carter? No, I do not, to my knowledge I never saw him.

Do you know from any correspondence that, although he was, as was expressed upon this recommendation, a poor orphan, he had

had a sufficient education to qualify him for an ensign, being the son of a soldier who was killed in the service? Until his name was mentioned here last night, I never heard his name mentioned.

Who appoints the paymasters? I have already stated, that the colonel of the regiment recommends the paymaster, the Secretary at War approves of the sureties, and in that shape they come transmitted to the Commander in Chief, who lays them as a matter of course before the King.

In what year did the transaction you have alluded to, relative to Mr. Hedden, take place? I really do not know; but this I know, that it was in consequence of the transaction that I was induced to speak to the Secretary at War to insert a clause in the Mutiny Act.

Do you not recollect whether the transaction did not take place before the appointment of General Fitzpatrick as Secretary at War? whether that transaction could have ever come under his cognizance? I really cannot take upon me to state the exact date, it must have been there or thereabouts, I cannot speak to the exact period.

Cannot you ascertain, by reference to your papers, whether it was before the month of February, 1806? I cannot, without reference to the Army List; the paymaster's name was Blunderstone, of one of the battalions of the German Legion.

Do you not understand it to be a matter of course, that the Secretary at War should recommend any paymaster that is recommended to him by the colonel of the regiment, provided he finds him to be a person fitted for the situation, and that he has proper security? Quite a matter of course.

Upon what ground do you say that the recommendation of the commanding officer of a regiment, for the paymaster, is received as a matter of course at the War Office? I am called upon to answer a question that in no shape belongs to the office which I superintend, but as matter of general information, I understand that when the colonel of a regiment recommends a paymaster to the Secretary at War, if the Secretary at War sees no objection to such recommendation, and his securities are good, then it is a matter of course that he recommends.

In case the Secretary at War should disapprove of the securities, what is then the process? I beg to repeat that I am answering questions in no way connected with my office, but as matter of general information I can state, the Secretary at War would then return it.

Would not the colonel then have another recommendation which might meet with approval? Certainly.

Produce the documents respecting the resignation of Major Turner.

(Copy.)

"Sir,

"Craig's Court, 5th Sept. 1808.

"We are directed by Lieutenant-general Cartwright, to enclose the resignation of Brevet-major Turner, for the sale of his troop in the 2d (or King's own) regiment of dragoons, which we request you will be pleased to lay before Field-marshal his Royal Highness the Commander in Chief, together with the recommendation of Lieutenant Sirwell to succeed thereto, the purchase-money being satisfactorily settled,

THE PARLIAMENTARY REGISTRE: [COPY.]

and no senior lieutenant in the regiment having signified an intention of purchasing.

(Signed) "We have, &c.
" GREENWOOD, COX, and Co.
" Lieut.-Colonel Gordon,
" &c. &c. &c."

(Copy.)

" Sir,
" Canterbury, 26th August, 1808.
" I beg you will be pleased to obtain for me his Majesty's consent to the sale of my commission of Captain in the 3d (or King's own) regiment of dragoons, which I purchased.
" In case his Majesty shall be graciously pleased to permit the same,

" I do declare and certify, upon the word and honour of an officer and a gentleman, that I have not demanded or accepted, neither will I demand or accept, directly or indirectly, at any time, or in any manner whatever, more than the sum of 3,150*l.* being the price limited and fixed by his Majesty's regulation, as the full value of the said commission.

" I have the honour to be,

" Sir,

" Your most obedient, humble servant,
" WHICHCOTE TURNER, Capt.

(Signed)

" Officer Commanding 3d or
" King's own regiment of dragoons."

(Copy.)

" Sir,
" Canterbury, 26th Aug. 1808.
" I beg you will be pleased to obtain for me his Majesty's permission to purchase the troop vacant in the 3d, or King's own regiment of dragoons, (vice) Turner, who retires; the senior lieutenants having declined purchasing.

" In case his Majesty shall be graciously pleased to permit me to—
" I do declare and certify, upon the word and honour of an officer and a gentleman, that I will not, now, or at any future time, give, by any means, or in any shape whatever, directly, or indirectly, any more than the sum of 3,150*l.* being the price limited and fixed by his Majesty's regulation, as the full value of the said commission.

" I have the honour to be,

" Sir,

" Your most obedient, and most humble servant,
(Signed)

" R. SITWELL,
" Lieut. 3d Dragoons.

" To the Commanding Officer,
" 3d, or King's own regiment of dragoons."

" I beg leave to recommend the above, and I verily believe the established regulation, in regard to price, is intended to be strictly complied with, and that no clandestine bargain subsists between the parties concerned.

(Signed)

" W. CARTWRIGHT,
" Lieut.-general."

SEP. 14.] COLONEL GORDON'S EXAMINATION.

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What is the meaning of that mark "Put by?"—Put by for the present, until further inquiries were made; the correspondence will explain it.

(Copy.)

"Sir,

Portman-street, 5th Sept. 1808.

"I think your Royal Highness will readily comply with the following trifling request I take the liberty of making. It is not to accept the resignation of Major Turner, of the 3d or King's own dragoons, in favour of lieutenant Sitwell, till March. He has behaved with unkindness towards a lady who merited different treatment; and it is of importance to her to know where to find him for these six months; and if he quits the regiment he means to secrete himself from her. Besides, it is not quite honourable for an officer to wish to leave the army while his regiment is under orders for embarkation. Your Royal Highness will therefore perceive he does not merit indulgence. The General knows all about it, and can corroborate what I say, if necessary.

"Major Turner depends on Colonel Gordon to expedite his resignation; I depend on your Royal Highness to prevent his obtaining it for some months. I flatter myself such a trifling and just request you will not refuse.

"I have, &c.

(Signed)

"LUCY SINCLAIR SUTHERLAND."

"C. L.

"Place this letter with Major Turner's papers."

(Copy.)

"Dear Colonel,

Burley, 14th Sept. 1808.

"In reply to your enquiries respecting the scrape into which it appears that Captain Turner, of my regiment, has got with some woman of moderate repute, I have to say that I am entirely ignorant of every thing which relates to this matter; but, for your satisfaction, will endeavour to inform myself of particulars, which when obtained, shall be transmitted to you.

(Signed)

"Your's, &c.

"W. CARTWRIGHT.

"Lieutenant-Colonel Gordon,
&c. &c. &c."

"M. D.

"Private.

"Put by."

"Private.

(Copy.)

"Dear Colonel,

Aynho, 22d Sept. 1808.

"I trust that the following extract of a letter from Lieutenant-Colonel Mundy will do away any unfavourable impression that may have been taken, to the prejudice of Major Turner, of the regiment under my command; and that the business of his resignation may, in consequence, be allowed to go forward without further delay.

"I remain, &c.

(Signed)

"W. CARTWRIGHT,

"Lieut.-General.

"Lieut.-Colonel Gordon,
&c. &c. &c."

" Extract.

" In no one instance have I ever had occasion to be dissatisfied with the conduct of Major Turner since he has been in the King's own dragoons: on the contrary, I have always found him to be a perfectly gentlemanly, honourable man. I believe he has, unfortunately for his own peace of mind, formed a connection with an artful woman, who has brought him to much trouble; but I conceive this is a circumstance which can on no account warrant the putting any obstacle to his views of retiring."

" C. T.

" Put by."

" Private.

" Canterbury, Friday, 23d Sept. 1808.

" Dear Sir,

" I am just favoured with a letter from Lieutenant-colonel Mundy, informing of me, my resignation is accepted, and the business will be forwarded without delay. I can with truth say, I have turned my fortieth year, and never had my honour or character called in question, until aspersed by Mrs. S——. When I arrive in London, I will wait upon you, and inform you how Mrs. S—— is in the habits of making improper mention about his Royal Highness. In consequence of what has happened, and in consideration of my long services, I shall consider it as a great compliment, if I may be allowed to retain my rank as Major. I neither ask for half-pay, or future promotion; nor should I have ever made a request, had it not been for the very unpleasant communication.

" I remain, &c.

(Signed)

" W. TURNER.

" Lieutenant-Colonel Gordon,

" &c. &c. &c."

" Put by."

(Copy.)

" Sir,

" Ipswich, 7th Nov. 1808.

" I am in possession of facts which place it beyond a doubt that his Royal Highness the Commander in Chief did, influenced by Mrs. Sinclair, prevent, for a while, my retiring from the service."

" I appeal to you, Sir, if I mented the effect which such unjust interference produced, after having passed the greater and best part of my life in his Majesty's service.

" Before I left Canterbury, I wrote to you, stating to you my earnest request that I might be permitted to retire from the service, retaining my rank in the army, to which I received no answer. Agreeable to my promise, I endeavoured to obtain an interview with you when I was in London, but I was disappointed, owing to some informality in my application to those in attendance under you. I therefore beg leave to repeat my request upon the subject of retaining my rank in the army: the length and nature of my services, I am convinced, will be a sufficiently strong claim: without reverting to the late transaction exercised by Mrs. Sinclair, I beg to assure you, Sir, it's the farthest from my disposition to take any steps injurious to his Royal Highness the Commander in Chief's conduct. I request you will do me the honour to

acknowledge the receipt of this, and your answer will regulate my future proceedings.

"I have, &c.
(Signed) "WHICHCOTE TURNER,
late of the 3d, or King's own dragoons,
and major in the army.

"To Colonel Gordon, &c."

(Copy.)

"Sir,

"Horse Guards, 8th November, 1808.

"I have to acknowledge your letter of yesterday, which I have not failed to lay before the Commander in Chief; and I am commanded to acquaint you, that, on a complaint being made against you by a Mrs. Sunderland, in a letter, of which the enclosed is an extract, his Royal Highness felt it his duty to cause inquiry to be made into the circumstances of the case, before any decision could be given upon your request to retire from the service.

"The result of that inquiry being honourable to your character, as appears from the enclosed correspondence from the colonel of your regiment, the Commander in Chief had no further difficulty in submitting your resignation to his Majesty, and which was accordingly done in due course.

"Upon the subject of retaining your rank in the army, I have to communicate to you, that the Commander in Chief has it not in his power to meet your wishes, the request being contrary to the rules of the service, and has not, in any similar instance, been acceded to since the Duke assumed the command of the army.

"I have, &c.
(Signed) "J. W. GORDON.
"W. Turner, Esq. Ipswich,"

(Copy.)

"Sir,

"Bury St. Edmunds, 15th Dec. 1808.

"I am preparing to lay before the public, a statement of his Royal Highness the Duke of York's conduct towards me.

"I beg leave to assure you, I shall make use of your name as seldom as possible, and that with the utmost delicacy. Mrs. Sinclair Sutherland has offered to join me in a publication against his Royal Highness the Duke of York, which I positively declined. When I taxed Mrs. S. S. with having taken steps injurious to my retirement from the service, having traced her letter into his Royal Highness the Duke of York's office, Mrs. S. S. stoutly denied having exerted herself in impeding my resignation. Mrs. S. S. acknowledged she had written to his Royal Highness the Duke of York, but it was upon the subject of suppressing a publication; I am unable to say which pamphlet, the one addressed to the King, styled the Ban Dogs, or Mr. (late Major) Hegan's.

"I have, &c.
(Signed) "W. TURNER.

"Colonel Gordon, &c. &c. &c."

(Copy.)

"Sir,

" Horse Guards, 16th December, 1808.

" I have to acknowledge your letter of yesterday, acquainting me, that you were preparing to lay before the public, a statement of his Royal Highness the Duke of York's conduct towards you, and assuring me, that you should use my name as seldom as possible, and that with the utmost delicacy.

" In thanking you for this assurance, which I presume your recollection of former acquaintance in private life has induced you to make, I feel it my duty to relieve you from any delicacy upon that point, and most decidedly to express my wish, than whenever you or your friends may think fit to mention my name, as bearing upon any public transaction in which I may have borne any part, you will have the goodness to use it, free from any reserve whatever, and publish all or any of my letters that may be in any manner connected with it.

" I have, &c.

(Signed) " J. W. Gordon.

" P. S. I take it for granted, that you have received my letter of the 8th November, addressed to you at Ipswich.

" W. Turner, Esq. Bury St. Edmunds."

Do you know Mrs. Sutherland? Until I saw her name to that letter, I never recollect having heard of it before, and I never saw her in my life.

Do you know whether Mrs. Sinclair and Mrs. Sutherland are the same person? I have understood that they were so.

You stated in your examination on a former night, that any interference of the Duke of York, the Commander in Chief, with respect to exchanges, would be extremely futile; do you make the same observation as to any interference of the Duke of York with respect to resignations? I beg pardon, but with great deference, I never said any such thing; I will state what I did say, and explain if necessary.

[The following extract was read from the printed minutes.]

" Q. In any conversation that you have had upon the subject of this exchange with the Commander in Chief, do you recollect a wish being expressed that the conclusion of the exchange might be expedited? A. No, certainly not, the expression of such a wish would have been very futile, for it would not have expedited the exchange one half instant; it would have gone on in the usual course."

Do you mean that any application on the part of the Commander in Chief would have been more futile in regard to the expediting of that exchange than any other? There appears to be some misconception in this, which I will endeavour to explain; on reference to my former examination, it will be seen that the papers were laid before the King but once a week, and that after the Commander in Chief's pleasure had been finally obtained upon the exchange or upon any thing, then the expression of his wish to further that, would not have furthered it one-half instant, it would have gone with the King's papers that week: that was what I meant to say, and I hope I did say it.

Then the futility to which you allude, only refers to the time after the Commander in Chief's pleasure has been taken? Most certainly;

that is, if the Commander in Chief's pleasure is taken on Wednesday, and that it is the due course to send in the papers to the King on Friday or Saturday, the Commander in Chief's desire to me to expedite would not cause that paper to be sent in to the King on Thursday; that is what I mean.

Then any wish expressed by the Commander in Chief, to expedite an exchange previous to that period, might have the effect of expediting that exchange, might it? I really can only answer that as I have already answered before; that when I lay a paper before the Commander in Chief and receive his pleasure upon that paper, with him it is final, and it goes before the King in the due course; I mean to say again, that the Commander in Chief desiring me to send in that paper would not expedite it, it would not go separate, it would go with the other papers.

Do you mean, that if an exchange is in suspense in the office, an expression used by the Commander in Chief of a wish to expedite that exchange, would have no effect whatever? O no, I do not mean that; it most undoubtedly would.

Have you ever known any other instance of this sort of interference like that of Mrs. Sutherland? I cannot bring such to my recollection, but I can say, that if that letter had been anonymous, the very same course would have been adopted.

Had you any conversation with the Commander in Chief respecting that letter? I do not think I had, farther than this; I think it will be found, on reference to the papers, that the resignation is dated the same day with Mrs. Sutherland's letter, in which case it is probable that I submitted it to the Commander in Chief at the very same period that he opened the letter; I perfectly recollect the Commander in Chief putting the letter into my hands, and desiring me to inquire into it.

Do you mean, that the resignation is dated the same day that the letter is dated? I believe so.

[It appeared on inspection, that the letters of Messrs. Cox and Greenwood, and of Mrs. Sutherland, were both dated the 5th February.]

When was the resignation forwarded to Major Turner? As it is dated on the 5th, and from the agent's office, it is most probable I received it on that day, and most probably laid it before the Commander in Chief, in my usual course, the next day at furthest.

When was the resignation accepted? That is also dated in red ink upon the back: it was approved by the King on the 23d. of the same month; it came in on the 5th.

Did the Duke of York state to you that he knew Mrs. Sutherland? No, he did not.

Nothing about her? Nothing whatever.

[The witness was directed to withdraw.]

Mr. WILLIAM NICHOLLS was called in, and examined by the Committee as follows:

Do you live at Hampstead? Yes,

Did Mrs. Clarke live at your house at Hampstead, at any time, as a lodger? Yes.

What time did she come? In October.

What year? 1807.

How long did she stay there? Till the 25th June following, or thereabouts.

When she came there, did she represent herself as a married woman or as a widow? As a widow.

Did she at any time during her continuance there, represent herself in another character? Yes.

Upon what occasion? I understood that she was married to Mr. Dowler.

How did you understand that? She told me so.

Did Mr. Dowler come to her there? Yes.

Was it upon the occasion of his coming to her, that she represented herself to be his wife? Yes.

Did she give any reason for calling herself by the name of Clarke, while she represented herself as married to Mr. Dowler? She stated her reason to be, that if the Duke of York knew that she was married, he would send Mr. Dowler abroad.

Was Mr. Dowler there frequently during her stay? Yes, very frequently.

You have said that Mrs. Clarke represented herself as a widow; in what way did she represent herself, did she tell you she was a widow? Yes, that her husband was dead three years.

When did she tell you that? Some time after she was in the house; perhaps two months.

When did she come into your house first? In October, the latter end of October.

When did she tell you she was married to Mr. Dowler? Soon after Mr. Dowler came to Hampstead.

When did Mr. Dowler first come to Hampstead? I forget the time, it was soon after the expedition returned from Buenos Ayres.

Did she go by the name of Mrs. Dowler? No.

Did you believe that she was the wife of Mr. Dowler? Yes.

Did Mr. Dowler often sleep in the house? Yes.

Was there a French lady in that house? Yes.

What was the name of that lady? Josephine, I think, they used to call her; I did not know her name exactly.

Of how many people did Mrs. Clarke's family consist? At first when she came, herself, Captain Thompson, and this French lady.

Any children? Afterwards there were.

How many children? Two, sometimes three.

How many bed-chambers had Mrs. Clarke in your house? Four or five; she occupied the whole house almost.

Do you know whether this French lady slept with Mrs. Clarke? No, I do not.

Is your wife with you now? Yes.

Is she here? Yes.

Had you ever any correspondence with Mrs. Clarke? I do not understand the question.

Did Mrs. Clarke ever write to you, or you to Mrs. Clarke? Yes.

Do you recollect when Mrs. Clarke last wrote to you? Yesterday.

Did you receive a letter from Mrs. Clarke yesterday? Yes.

When was the last time, before yesterday, that you received a letter from Mrs. Clarke? I do not know exactly.

Have you that letter in your possession? No.

What is become of it? I gave it to a gentleman, a professional man.

To whom? To Mr. Masters.

What is Mr. Masters? An Attorney.

With what view did you give it to Mr. Masters? With a view for him to write to her.

Upon what subject? For a sum of money which she owed me.

What were the contents of that letter? I applied to Mrs. Clarke in town, to ask her to pay me my bill, when she was not to be seen; I told the housekeeper, unless she settled the account with me, I should dispose of some instruments of music that were left in part to satisfy me. The same evening, I received a letter, threatening that she knew I had forged a will, wherein I held an estate. Immediately I took the letter to Mr. Masters, telling him that it was all a falsehood, and desiring him to insist upon getting my money, and to despise her threats.

Was it in consequence of the threat contained in that letter, or in consequence of the debt which Mrs. Clarke owed you, you gave that letter to this professional gentleman? In consequence of the threat.

How long was this ago? I do not exactly know, I suppose July last, or thereabout.

Have any steps been taken in consequence by that professional gentleman? He wrote to her, and has received no answer; and I do not think any thing else has taken place since then.

Have you ever continued to apply to Mrs. Clarke since that? No, never.

Did you receive any rent from Mrs. Clarke? Never.

In that letter, did she say that you had forged this will, and that she could hang you? I do not exactly know the words, but something to that effect.

You state that you applied to your lawyer upon that subject; why did he not proceed against Mrs. Clarke? I thought she owed me money enough already, and I did not like to throw good money after bad.

Do you ever recollect saying, you would be up with her for this? No, never to any body.

Do you recollect, that at any time, in consequence of this business of the will spoken of in that letter, your wife and you parted? Never.

You do not recollect your wife leaving you, upon that or any other occasion? No.

Have you, in your possession, any letters that belonged to Mrs. Clarke? Yes.

Have you any objection to producing them? I should not wish to produce them, unless I should be satisfied what she owes me, unless by the request of the House.

[The witness produced a bundle of letters.]

[The witness was directed to withdraw.]

The Chancellor of the Exchequer observed, that if the letters were evidence in this case, the house would insist on their production, but if not, they ought to pause be-

fore they took from the witness any property which he considered as impounded for part of the debt due to him.

Mr. Whitbread said the property would not be destroyed, and the letters ought to be produced, if *Mr. Wardle* could say they bore at all upon the subject of their inquiry.

Mr. Wardle said, he would ask this question of the witness, who had read them. He would know if they treated of the sale of commissions.

Sir George Hill objected strongly to the production of these letters, and blamed the committee for the course they were pursuing. They might contain *Mrs. Clarke's* private amours for what they knew, and ought not to be heard, unless *Mr. Wardle* would state that he had good grounds for believing they would throw light on his charges.

Mr. Wardle said he would explain all he knew on the subject. *Mrs. Clarke* had told him that she was burning a number of letters relating to such matters, and had given these to *Nicholls* and his wife to burn. A few days ago it was discovered that a part of the number were still in existence, and *Mrs. Clarke* had applied for them.—*Nicholls* at first had no objection to deliver them to her receipt, but on calling for them yesterday, he refused, and said he had been advised not to part with them.

[The witness was again called in.]

State how you came by those letters. They were sent down to light the fire with.

By whom? By *Mrs. Clarke*.

Did she desire those letters, when she sent them down, to be burnt? They were sent down merely to light the fire with; they were not given to me, they were put into the closet, and the maid servant used to take them out of the closet as she wanted them.

Do you recollect, at the period these letters were sent down, *Mrs. Clarke* burning a great number of letters? I understand so; I did not see her burn any.

You have read many of these letters? I have read them since this business has been in hand.

Are you aware that any of these letters relate to the circumstances that had been under the consideration of this House? Yes, I think they do.

[The witness produced two other bundles of letters.]

[The witness was directed to withdraw.]

Mr. Yorke objected to the reading of such a mass of papers, which were not known to pertain to the business before the Committee, and might perhaps be improper, as

well as unnecessary. He proposed that a small Committee might be appointed to select what were proper, and lay them before the Committee.

Mr. Barham, who had loudly opposed the withdrawing of the witness with the papers, said, that if the honourable gentleman had consulted the interests of the country, or of the Duke of York, he would not thus have interposed. He contended, that if any papers were referred to a Select Committee, the country would imagine they contained things which the House wished to be concealed. It would not do, after all the irrelevant matter that had been admitted in their proceedings, to shut their eyes now. They must go on, since they had once begun.

Mr. Whitbread proposed that the letters should be delivered to *Mr. Wardle*, who might make the selection of such as were necessary to elucidate the matter he had brought before the House. His fair and manly course would justify this confidence.

The Chancellor of the Exchequer thought there was no apprehension as to the letters being destroyed, after being brought voluntarily to the bar. This was a difficult point to decide. He could not think of receiving letters in evidence which could not be proven as written by any one; which might be anonymous, and full of lies. He also disapproved of *Mr. Whitbread's* suggestion, and without meaning any disrespect to *Mr. Wardle*, was sure that honourable gentleman would agree with him, that to be placed in the situation of selector would not be conducive to the ends of general justice.

After a long and desultory conversation on this topic, in which many plans were suggested, and in which *Mr. Beresford*, *Mr. Canning*, *Mr. Barham*, *Mr. Whitbread*, *Mr. Adam*, *Mr. Brand*, *Lord Porchester*, *Mr. Wynne*, and *Mr. Wardle*, took part, it was at last agreed to refer the letters to a Select Committee, to reject those that were irrelevant, and lay the others before the House.

[The witness was again called in.]

Have you in your pocket the whole of the letters you took out of the House? Yes.

Produce them.

[The witness produced them.]

Were you advised not to deliver those letters to *Mrs. Clarke*? No.

Is that your hand-writing? Yes, it is.

[Letter from *Mr. Nicholls* to *Mrs. Clarke*, dated 13th February, 1809, read.]

"Madam,

"13th Feb. 1809.

"I received your's respecting your letters; and on turning the matter in my mind, I don't know how far I am authorized to give them even to you, as having been applied to from another quarter on the same business; and as I most certainly shall be obliged to attend the House of Commons, I will look them all up and produce them there.

"In fact, I think you ought to settle my account before you ask me for any thing.

"I am your obedient servant,

"Mrs. Clarke."

"W. NICHOLLS.

From what other quarter was it you were applied to for the letters? From no other quarter; I was waited upon by a gentleman on the same business, but in turning it in my mind, I did not know that I was even to give them to any person, without the consent of the House.

Who was the other gentleman? I do not know his name.

Are you certain you do not know his name? I do not know his name.

Did you know his name yesterday? No, I did not.

Did you tell me (*Mr. Wardle*) his name yesterday? I do not recollect that I did, I am confident I did not know his name.

Recollect yourself. I am confident I did not know his name.

Did you not tell me (*Mr. Wurdle*) his name was Wilkinson? I believed it was Wilkinson, but I mistook the name, and I do not know the name now; the person who came mentioned the name of Wilkinson, but it was not the person's name who came to me; though I might say it was Wilkinson to Mr. Wardle, I was mistaken.

Do you mean to say, that the person who came said he was sent by Mr. Wilkinson? He mentioned the name of Wilkinson, but I am not certain in what way he used that name.

Whom did this person say he came from? He came from Mr. Lowten.

Whoever it was he came from, did he ask for any particular letter, or only applied to you upon the general subject? He said nothing about letters.

What did you mean when you wrote that you had been applied to upon the same business from another quarter; what do these words mean? I meant the business of this inquiry.

Did the person coming from Mr. Lowten request that you would not produce those letters? No, he knew nothing at all about letters.

What did he ask for? He asked me some questions about Mr. Dowler.

What application did this person make to you? He asked me some questions about Mr. Dowler.

Did this conversation relate to nothing but Mr. Dowler? Mr. Dowler and Mrs. Clarke.

What did he say upon the subject of Mrs. Clarke? I forget almost what he asked me; he asked me a few questions about them, and I told him that she told me she was married to Mr. Dowler.

What did he say upon the subject of papers? Nothing at all.

Why then do you assign this person having called upon you from Mr. Lowten, as the reason for not returning the letters to Mrs. Clarke? For no reason for the person having called on me from Mr. Lowten;

but on turning the matter in my own mind, I thought it most prudent so to do.

Then why have you stated in your letter, that this person having called upon you was the reason for not returning the letters to Mrs. Clarke? In turning it in my own mind, I thought that I might be censured by the House, understanding that I must attend this House for delivering those letters to Mrs. Clarke.

Had you, at the time of writing that letter, received an order from the House to produce these letters? No.

Did the person who came from Mr. Lowten desire you to keep back those letters, and to suppress them? He said nothing at all about them; he did not know that I had a letter, to my knowledge.

At the time you saw that person, had you received an order to attend this house? No.

What made you suppose you should be obliged to attend this House? Because the gentleman, who came, said he supposed I must attend this House.

Have you seen that person since yesterday? Yes.

Where? I saw him; he came to Hampstead to-day, and I came to town with him.

Did he go to Hampstead to fetch you? Yes.

Did he carry down the summons to attend this House? No.

How came you to come to town with him? He came there after I received the summons; I did not expect he would come there.

His name is not Wilkinson? No.

Do you know what his name is? I should know what his name was if I heard it: I have heard it to-day, but do not recollect it.

Is it Williams? No.

Did he say any thing to you to-day about the letters? No, he knew I had the letters to-day.

But he did not speak to you upon the subject? No; I believe his name is Wright, but I am not sure.

You stated in the former part of your examination, that you believed Mrs. Clarke was Mr. Dowler's wife; did you ever apply to Mr. Dowler for the satisfaction of your debt? Never.

Why did you not? I had not an opportunity.

Did you ever seek for an opportunity? No, I do not know that I ever did; I was not anxious about the business; I did not suppose but what I should be paid.

In what profession are you? A baker by business.

How long have you lived in Hampstead? Eight or nine years.

You are a housekeeper there? Yes.

You have stated, that you believed Mrs. Clarke was Mr. Dowler's wife, and you have also stated that she told you when she came to Hampstead she was a widow; did you suppose the marriage with Mr. Dowler took place at Hampstead? No.

Why then did you believe that she was Mr. Dowler's wife, when she had previously told you she was a widow? Mrs. Clarke left my house and went to town; when she returned, Mr. Dowler returned with her, or near that time; it was after that time that Mr. Dowler was in the habit of coming, that she told me she was married to Mr. Dowler.

You have stated, that you received a letter yesterday from Mrs. Clarke; what are the contents of that letter? I have it in my pocket.

[The letter was read.]

"Mrs. Clarke will esteem herself greatly obliged to Mr. Nicholls, if he will send, *as he has promised*, all her letters by the bearer, who she sends in compliance with the arrangement made by him two hours ago.

"*Monday, one o'clock.*"

"*Mr. Nicolls, opposite New End, Hampstead.*"

Who was the bearer of that letter? I do not know who it was, a servant on horseback.

What did Mrs. Clarke mean by the arrangement? I suppose she means the conversation between Mr. Wardle and myself on the subject.

Repeat, as nearly as you can, that conversation. Mr. Wardle called on me, to apply for those letters, and I told Mr. Wardle I was not inclined to give them up; in fact, I should not think fit to give them up without an order from the person to whom they belonged. Mr. Wardle left me, with the supposition that I should deliver the letters up when I received an order from Mrs. Clarke; but on turning it in my mind, I did not think fit to give them up even then.

When did Mrs. Clarke know that you had these letters? I do not know how she knew it; perhaps I might mention to some one that I had these things, and it might come to her knowledge by that means.

MR. JOHN REID was called in, and examined by the Committee, as follows:

Where do you live? In Saint Martin's-lane.

Do you keep an hotel in Saint Martin's-lane? I do.

Do you know Mr. Dowler? I do.

How long have you known him? About two years, I believe; I cannot be exact to the time.

How long has Mr. Dowler frequented your house? About two years.

Do you recollect his coming there at any time with a person whom he represented as his wife? I do.

When? At all of the times he was in town, at some time or other.

Has he been frequently at your house with a person whom he represented as his wife? Not very frequently.

Do you now know who the lady was who he so represented as his wife? I do not.

Was it the same person that always came with him? The same person.

When was that person last at your house, that you knew her to be there? I think last Friday se'nnight, the day that Mr. Dowler came to town.

You do not know who that lady is? I have heard, but I do not know of my own knowledge.

Has Mr. Dowler supplied any body with wine from your house? No, Mr. Dowler has had some wine from my house.

Where has that wine been sent to? I believe somewhere by Bedford-square, I think, but I do not recollect; if I had expected to be asked the question, I would have made myself sure of it.

Did the lady who came with Mr. Dowler go by the name of Mrs. Dowler? Certainly she did, or she would not have been in my house.

Was the person who was with Mr. Dowler on Friday se'nnight, at

your house, the lady who used to be with him under the name of Mrs. Dowler? The same.

Did you ever hear her go by any other name but that of Mrs. Dowler? No.

Did you ever address her yourself by the name of Mrs. Dowler? I did.

Did she answer to that name? Most certainly.

Are you sure it was on Friday se'night that this lady was at your house for the last time? The last time that I saw her.

Are you sure as to the day? To the best of my recollection.

Are you sure it was the day Mr. Dowler arrived in town? I think it was.

Are you certain of that fact? As well as my memory serves me I am.

Have you seen that lady any where in the neighbourhood of this House since you came? I have not.

She passed as Mrs. Dowler on that evening? Yes, she did.

Have you ever heard Mr. Dowler call her by the name of Mrs. Dowler? Yes, I have.

And she answered to that name? Yes.

[The witness was directed to withdraw.]

GEORGE ROBINSON was called in, and examined by the Committee, as follows:

Are you the porter at Slaughter's Hotel? Yes.

Do you know Mr. Dowler? Yes.

How long have you known him? From the time that he returned from the expedition that came home from Buenos Ayres; that was the first knowledge I had of him.

Did you ever see him with any lady that he called by the name of Mrs. Dowler? Yes.

At your master's house? Yes.

Living with him there? For a short time.

As his wife? Yes, as his wife.

Do you know who that lady is? Yes.

Who is it? She goes by the name of Mrs. Clarke, to my knowledge.

How do you know that? By the public talk I have heard that of her, nothing further.

Have you ever been to her house? Yes, in Bedford-place, leading from Bloomsbury-square to Russel-square.

Was there any name upon her door there? Not to the best of my recollection.

Did you ever carry her any thing there? Yes.

What? Wine.

From your master's? Yes.

Who ordered that wine? I received the order from my master.

Have you seen her at your master's house lately? I have not.

Have you seen her since Mr. Dowler's return from Spain? I have not.

Have you seen Mr. Dowler there since? Yes, I have.

To whom was the wine directed to be carried? Mrs. Dowler.

To be carried to No. 14, Bedford-place? Yes.

You would know the lady if you saw her? Yes, I believe I should. Have you ever seen her at any other place, or carried wine to her any where else? Yes.

Where? At the end of the King's Road, I believe it is called West-cott-buildings, or something of that sort, leading to Sloane-square.

What name did you carry it to there? Mrs. Dowler.

When? I might say, I believe, it was the 13th or 14th of December last.

Who ordered that wine? I am not sure.

[The witness was directed to withdraw.]

SAMUEL WELLS was called in, and examined by the Committee, as follows:

Are you a waiter at Slaughter's Coffee-house; I am.

Do you know Mr. Dowler? Yes.

Do you know Mrs. Dowler? By name.

Have you seen her? By the name of Mrs. Dowler I have seen her.

Have you heard her called by that name? I have.

When did you see her there last? It might be about eight days ago.

Do you recollect the day of the week? I cannot.

In whose company was she? With Mr. Dowler.

How long did she stay there? One night.

Do you happen to know what the real name of that lady is now? Not till I had seen it in the paper.

Have you seen her any where else? No where else, but at our house.

Did you ever deliver a letter to this lady, directed to Mrs. Dowler? No, I have not.

Was Mr. Dowler ever there with any other lady except this? Not to my knowledge.

[The witness was directed to withdraw.]

Mrs. Favourite was ordered to be examined, but the Sergeant at Arms stated at the bar, that she was not in attendance.—Mr. Perceval addressing himself to Mr. Warde, wished to be informed, if the honourable gentleman had any more charges to make against his Royal Highness the Duke of York; and if he had, he wished to know if he was ready to enter upon them. Mr. Warde said in reply, that he was not sufficiently prepared to enter on the proof of any new charge; his information was as yet rather scanty, and if he should bring it forward, he pledged himself that it would be very concise, and would not occupy the attention of the Committee but a short time.

Mr. Perceval, Mr. Canning, and Mr. Beresford, severally reprobated this mode of procedure, as unfair, unjust, and cruel, towards the illustrious personage, who was the object of the prosecution.

Lord Folkstone and Mr. Whitbread supported the line of conduct pursued on this prosecution by Colonel Warde; who gave every assurance, that he would at an early

hour to-morrow, he enabled to inform the right honourable gentleman (Mr. Perceval) whether he would prefer any new charge or not.

Mr. Canning should only observe, that in his opinion the observation of the honourable gentleman was not altogether regular and parliamentary.

The Chancellor of the Exchequer then moved, that the chairman do report progress, and ask leave to sit again.

The House was then resumed, and the Chancellor of the Exchequer moved, that a select Committee be appointed to take into consideration the sealed packet of letters which had been delivered in to the Committee; and he further moved, that the following members do constitute the Committee, viz. Messrs. Brand, Wardle, W. Wynne, Croker, Leech, and that three of them be a quorum.

Ordered.

MILITIA VOLUNTEERING BILL.

Lord Castlereagh moved that the militia enlistment bill be read a third time, to which he had produced two new clauses; the one extending the provisions of the bill to the fencible regiments of Royal Miners belonging to the counties of Cornwall and Devonshire; and the other restraining the operation of the bill, whenever the militia establishment fell as low as two-fifths of the quota provided by the act of 1807. The noble lord said, that the principle upon which his bill went, was, that the militia regiments should not be weakened to less than two-fifths of their numbers, following the regulation laid down in 1807, nor exceed three-fifths of that number.

Colonel Franklyn said it was now six or seven years since he had become acquainted with bills of this description, and it was a matter of sincere regret to him to find them thus brought forward sessions after sessions. If the noble lord had brought forward his clauses in some of the earlier stages of the bill, the house would then have had an opportunity of considering them under all their bearings. It was a strong objection in his mind to the system, that counties which had succeeded in raising their respective quotas of men, under former acts of parliament, were in no better condition than those counties which had not raised their men; and how injuriously this operated on the officers who served in militia regiments, those members who held commissions in the militia could very readily con-

ceive. For his own part, he could not avoid stating, that it would operate with peculiar hardship on the regiment with which he had the honour to be connected. The honourable member repeated his objections to the general principle of the bill, and concluded with condemning the haste with which the additional clauses had been hurried through the House.

Lord Castlereagh briefly replied, and, in consequence of some observations by Colonel Lemon, made an offer to withdraw it, not wishing to press it without allowing time for further consideration.

The Speaker observed, the clause had now passed the first and second readings, and was agreed to by the House, and therefore could not be withdrawn consistently with the forms of proceeding.

The clause was read a third time and agreed to. Several other amendments were then moved by Lord Castlereagh, and agreed to.

Upon the question being put that the bill do pass,

Lord Milton rose to object to it altogether, as being a measure introduced in direct violation to what he always understood to be the positive pledge of the noble lord upon the introduction of his former bill; namely, that it was not to be adopted as a regular and permanent system, but only to be resorted to on great and urgent occasions: It was upon the strength of this promise that many gentlemen were induced to agree to the principle, who never expected that the noble lord would convert a measure, avowedly of temporary pressure, into a regular and permanent system. But now, without stating any such emergency, the noble lord revived the measure, and seemed to rest upon it as a regular expedient for recruiting the troops of the line. But the measure itself could not fail to produce the most mischievous effects upon the discipline and morality of the militia regiments themselves, by exposing the privates to be tampered with by intoxication and other means equally destructive to morals and discipline, in order to induce them to enlist; and therefore, even if it were objectionable upon no other ground, it was highly so upon this. One great object of keeping up the militia force within the country was, that it might be ready to meet an enemy in case of invasion: but if by the principle of this bill the best disciplined men of the militia regiments were to be drafted into the disposable force, and

the militia regiments thus reduced to skeletons, and left to be filled up with raw levies, the noble lord would not say, that regiments so circumstanced, and only called out for a month in the year, could be fit to meet an enemy in the field. He therefore thought the country rather hardly dealt by in this measure, not only upon the ground he had stated, but by the oppressive burthens which a fresh ballot would impose. The noble lord, it seemed, had at last found out that the ballot was oppressive on the people; and he had found out an expedient for easing the burthen, by allowing to each balloted man ten guineas towards the bounty for procuring a substitute. The only operation however to be expected from this was to raise the price of substitutes, and impose in another way, a heavy burthen on the country. This was truly a *most notable* expedient—one which it was quite impossible the noble lord himself could expect to produce the effects he proposed. Upon the whole, he was decidedly averse, after so recently carrying into effect a militia ballot throughout the country, to resort again to another, and thus for the noble lord to come forward, year after year, with a measure like this, totally subversive of the original intent and constitution of the militia, and converting it to a mere vehicle for recruiting the army of the line.

Mr. Shaw Lefevre was also averse to this measure, and testified to the severity with which the militia ballots operated. He regretted that the noble lord should bring forward the present bill, and urge it through the House, before he introduced the other bill, of which he had given notice. On the former occasion, both bills were brought forward together, and the House had an opportunity of discussing them in their progress. He wished the noble lord to state when he meant to introduce his other bill.

Lord Castlereagh answered that it would be in the course of a week.

Sir George Warrender, though wishing to increase the disposable force of the country, thought the means proposed by this bill circuitous, inefficacious, and hostile to their own operation. He should rather at once vote for a bill to enable the whole of the militia to volunteer into the line, than take away one half of the militia, and leave the other to be filled up by recruits. It would be infinitely less oppressive to ballot men at once for the line.

Mr. Windham said, that if he did not trespass at any

great length upon the attention of the House, he hoped, it would not be imagined that this was from any sentiment of its want of importance, or from any want of objections, but from the pressure of other urgent business at the moment. There was another witness, he understood, coming forward, which might let him have an opportunity of stating his sentiments more at large, though it would be whimsical enough that one half of this measure would have then passed the House almost without any discussion. He saw, however, with regret, that during the deplorable inquiry now pending before the House, it would be vain for any member to urge any other topic for their consideration, than that which now occupied all their attention, and roused all their curiosity. "For," said the honourable member, "such is the attractive influence of Mrs. Clarke upon the whole attention of this House, and of the public, that she would rout us, *horse and foot*, in all the arguments we could offer to divert their attention from her military operations, and we should be completely discomfited. He should have hoped the noble lord would not bring on this measure while the attention of the House was attracted to another business of so much urgency and importance; for although there was a full attendance of their persons, it was impossible to have their minds. But how would all this affect the public character of the House in the present state of the country, and of Europe? He lamented that his majesty's ministers, in entertaining the inquiry, should have adopted this mode, instead of another that must have been more effectual for any good purpose, though certainly not to answer the ends of malignity and slander. However, as the House must now go through with what it had begun, he must therefore submit to see this measure pass in its present shape, important as it certainly was, because it proposed to render permanent what was but temporary, and was fraught with incalculable mischiefs to the country. He did not conceive that either the measure itself, the system of which it was a part, or the effect it was to produce, could answer any good purpose; nor did he think his majesty's ministers could have adduced any measure, not even excepting their management in Spain, that could afford a stronger specimen of their unfitness to rule this country.

The bill was now passed, and ordered to the lords.

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, FEB. 15.

Mr. Alderman Combe reported from the Committees to whom were referred the petitions of the corporation of the city of London, for further time to purchase grounds for widening and improving the avenues of the metropolis, west of Temple-bar; and for erecting Sunday toll-bars on Blackfriars-bridge, for horses and carriages. Reports agreed to; and leave given to bring in bills pursuant thereto.

IRISH PECUNATORS.

Sir J. Newport wished to ask the right honourable secretary for Ireland, whether or not any steps had been taken for the criminal prosecution of the late collector for Cork, in consequence of his embezzlement of the public money.

Sir A. Wellesley answered, he did not understand that any steps had been taken for his prosecution: he was now, however, in goal.

Sir John Newport then gave notice, that he should, on Friday next, move for leave to bring in a bill to constitute embezzlement of the public money by any collector or agent entrusted with the receipt thereof, a felony, without benefit of clergy.

GENERAL BERTIE.

Lord Henniker rose to call the attention of the House to the subject of a motion made by an honourable gentleman yesterday, for a writ to issue for the election of a member for Stamford, in the room of General Bertie, now a peer of the united kingdom. But first, he moved that the act be read which explained the cases wherein members should be deemed to have vacated their seats.

It was read accordingly.

Lord Henniker then observed, that although he was sure the motion of the honourable gentleman last night for the writ in question to issue, was made with the worthiest motives, yet it appeared to him that his zeal was rather premature, as such a motion could only be warranted by a thorough conviction of the fact that the honourable general had really vacated his seat; by a letter in his hand from General Bertie, it appeared that honourable member

was not himself conscious of having vacated his seat; neither did he appear, under the meaning of the act now read, to have done so, by any thing stated in the motive assigned for the honourable gentleman's motion. It was true, indeed, that General Bertie had ground to consider himself as next heir to the noble title of Lindsay, and consequently peer of the united kingdom, and might have received his summons under the great seal to assume that title; but then he was not summoned to take his seat as a peer of parliament, which was necessary, in order to vacate his seat in that House, where peers of Ireland and Scotland, not of the upper House of parliament, might sit as members. Besides, so far from being actually in the possession of the title of Lindsay, it was necessary for the honourable general to go into the investigation of records for 160 years, in order to prove his claims. He, therefore, concluded by a wish to put some motion for withdrawing the writ, or annulling the order of yesterday.

Mr. Madocks said, that he was not aware of the circumstances now stated by the noble lord, when he made his motion for the writ yesterday. It had been communicated to him, that General Bertie was come to the title, and summoned to the upper House, and therefore feeling that the right of election and representation was the privilege of the electors of Stamford, he had moved for the writ.

The Speaker rose to state, with leave of the House, what occurred to him on the subject. It was usual with the House to give credit to the statement of any of its members which met no contradiction, and therefore when the honourable member stated yesterday as a fact the circumstance which was the ground of his motion, and no objection was made, the house, as a matter of course, agreed to it, and the order was made accordingly. But now that the House was better informed upon the subject, it would be competent for them to amend the proceeding by an order to supersede the writ. Something similar had occurred in the case of General Egerton, the presumptive heir to the Duke of Bridgewater. The writ was then ordered to be superseded.

MAJOR COGAN.

Mr. Whitbread rose to throw himself upon the indulgence of the House, having no motion to offer upon the

subject to which he wished to call their attention. It was the case of a very meritorious officer, Major Cogan, who felt himself extremely hurt by something which was stated before the Committee last night. He (Mr. Whitbread) held in his hand a letter from Major General Leith, which fully testified Major Cogan's professional abilities, and it was the decisive opinion of those appointed to inquire into the competence of Major Cogan, that he was fully adequate to the duties of the rank which he sought. Major Cogan had said that he had nothing to impute to the evidence of Colonel Gordon, as injurious to his character or feelings, in the course of his examination. It was from the public papers he feared some misrepresentation of the questions and answers which related to him; but he hoped the Committee would do him justice. Here Mr. Whitbread read a letter from General Leith to Sir John Moore, bearing high testimony to the character, talents, and conduct of Major Cogan, who acted in the command of the 76th regiment, of which he was a major in the late expedition to Spain, in place of Colonel Symes, who from illness was prevented from taking the command of that regiment more than one day. It was on this account that Major Cogan had felt the severity of being refused the liberty to purchase promotion in the regiment wherein he had so long served with honour and reputation, in preference to an officer from another regiment.

Sir Arthur Wellesley said, that Colonel Shaw was formerly, as he had been himself, an officer in the 76th regiment. He had served with the regiment in India under Lord Cornwallis, and had therefore claims to promotion in it. He was lieutenant-colonel, and Mr. Cogan but a major, and he himself had recommended him to the Commander in Chief as a person highly worthy of promotion to the command of the 76th, in case Colonel Symes should sell. That officer, however, was removed, but not allowed to sell, and Colonel Shaw was promoted to the command of the regiment.

Mr. Whitbread added, that Major Cogan had been thirteen years a captain in the regiment, and had purchased his majority.

THE COMMANDER IN CHIEF.

Mr. Teech brought up the report from the Select Committee, to whom was referred the selection of certain pa-

pers and letters laid yesterday before the Committee for inquiry into the conduct of the Duke of York, in order to lay before the Committee only such as related to the subject under inquiry. The report was to the purport following :

"Your Committee have inspected the several letters referred to them by this honourable House; and, in pursuance of their instructions, they have selected those letters inclosed in a bundle marked A. But they beg leave to remark, that they do not wish it to be understood that all these letters afford direct evidence applicable to the subject now made, or any which may hereafter become the subject of inquiry; but your Committee do not conceive themselves authorized to judge whether these letters are admissible evidence."

Lord Folkestone now rose to move the order of the day for the House to resolve into a Committee upon the inquiry respecting the conduct of his Royal Highness the Commander in Chief. But first he hoped to be indulged with the liberty of a few observations, in consequence of what had passed last night. He felt it unnecessary to say any thing with respect to himself, or the part he had taken in this proceeding; but he hoped the house would do justice to the motives and conduct of the honourable gentleman, whom he was happy to call his honourable friend, but who had been more than once stigmatized in the course of this inquiry by the appellation of the accuser. His honourable friend, he would say, had not been fairly dealt by: for in the arduous and important task he had undertaken from an imperious sense of public duty, he had not been allowed to proceed in the mode he himself would have chosen, but was forced to adopt the line suggested by a learned gentleman in that House, who was the avowed friend and adviser of the party accused. He believed this was the first time when, on any similar proceeding, the person bringing forward a charge for the sake of public justice was refused the liberty of choosing his own mode of conducting his proceeding, and forced to adopt the line pointed out by the friend and adviser of the accused. His honourable friend had been obliged to go on day after day without interval or respite, under the fatiguing exertions inseparable from the duty he had undertaken, up to the very moment when he (the noble lord),

seeing him oppressed, and sinking under the task by mere fatigue of mind and body, had come forward to his assistance. His honourable friend, in the side he had taken, was allowed no such assistants as Mr. Lowten, and Mr. Wilkinson. He was obliged to do the whole duty, and seek evidence where he could find it. The noble lord trusted it would never be forgotten in that House, that his honourable friend had been obliged to follow up his duty, under threats repeatedly held out to intimidate him. Menaces had been frequently uttered, that infamy would attach to him if he failed in his pursuit. Such was the language employed over and over again to deter him from the task; but nevertheless his honourable friend had gone on, day after day, in spite of such menaces, and performed his public duty, as became a member of that House.

Having stated thus much in behalf of his honourable friend, there were some other points to which he had now to call the attention of the House, in respect to some papers to which he had alluded yesterday, and the particulars of which he did not think he was bound to conceal from the House. As to any attempt at stigmatizing the motives by which he was actuated, he felt the most perfect indifference. In addition to the proofs in the hands of his honourable friend, a clue to other documents had been given him by a gentleman who did not wish to be brought forward; but who stated that he had seen in the possession of a person in the city some papers of an important nature, chiefly affecting the Duke of York. Those papers he said were in the hands of a person who did not wish to produce them. He did not name the man, but left it for conjecture to find him out from the mere suggestion of a remote clue, that he was the solicitor to a banker, whom he named, and that they had come into his hands in consequence of a bankruptcy. There were several bankers of the same name; but he (Lord Folkestone) undertook the inquiry, and found out the solicitor, called on him, and asked him if he had the papers? He said he had. He was then asked whether he would produce them? He answered, that he wished not to do it. His reason was asked? and he answered that he did not wish to appear at the bar of the House of Commons, lest he might be looked upon as an informer, or his name held up to the public coupled with some of the persons who had

been examined there. Some pains were taken to obviate his objections: but he said he was afraid the right honourable gentleman the Chancellor of the Exchequer, and his connections, might injure him in his professional pursuits; indeed his principal apprehension seemed to be of professional injury. He was asked, if it was a matter of *etiquette* in his profession, in cases of bankruptcy, not to produce such papers; and he answered, *No*, but said that as the matter was taken up as a ministerial question [*No! no! no!* from the Treasury bench] he was afraid to produce them, as the consequences to his family might be injurious, and he should be ruined in his profession. This case, to the noble lord's own personal knowledge, was not the only one in which important evidence on this subject had been kept back on similar grounds, for he knew of several officers in the army who could offer very important evidence in support of the charges, but who could not be induced to come forward, avowedly through the apprehension that they would, in consequence, suffer severely in their professional pursuits, and be ultimately ruined.

It was early in the morning of this day when he had last seen the solicitor. Inquiry was made whether the papers were then in his possession; and he answered *No*, frankly declaring that he had purposely put them out of his possession, that he might assign that as a reason for not producing them. He was asked whether they were destroyed; the reply was, that they were not; for he had handed them over to a friend. He had left the noble lord with a promise that he would immediately consult a learned gentleman, the late Solicitor General, to whom he would submit the business, take his advice how to act, and acquaint the noble lord with the result at a quarter past three that day. The noble lord said he attended at the time and place appointed; but instead of the man he found a note from him, stating that his learned friend was professionally engaged before the Master of the Rolls, and he could not see him, but would take a speedy opportunity of consulting him, and would act according to the advice he should give him.

The noble lord said, he felt it his duty to communicate these circumstances immediately to the right honourable Chancellor of the Exchequer, to move for the production of these papers, and the attendance of this Solicitor, for which he had already moved. As he had not seen these

documents, he could not say they would bear directly on the case of the army; but as the disposal of places under government had been frequently mentioned in the course of this inquiry, and as he understood the papers in question bore directly upon that subject, he hoped there would be no objection to their production. When they should come before the House, he should suggest that, as in the case of the letters produced last night, a select Committee should be appointed to examine them, and report to the House such opinion as they should form, touching the matter contained in them.

The *Chancellor of the Exchequer* hoped that when the noble lord expected this threat, which he alluded to, would be kept in eternal remembrance, a just estimate would be formed on the subject. The noble lord was right as to the seriousness with which Mr. Adam had urged the expediency of a speedy and public inquiry; but he was very far from right, indeed, when he said that the honourable gentleman, with whom this proceeding originated, had been forced to the present mode of prosecution. There were not, he was convinced, more than two dissentient voices in the house when the present mode was proposed: there was no undue interference in its adoption—no extraordinary course—no secured majority; but it was proceeded in by one free, unanimous, and appropriate consent. The noble lord now urged the inconveniency of a public inquiry; but he himself acquiesced in the motion on which it was at first founded. He had not moved for a *select* committee, but merely for a committee, and such no doubt, from his acquaintance and connexion with the honourable gentleman (Mr. Wardle); he must have conceived to be his desire and wish. It had been agreed to by the full consent of the house, and it was not dealing fairly by the accused—it was not dealing fairly by the house nor by him, now to send forth so harsh and unfounded an imputation on their propriety, to the public. What! was it right to say that the facilities of the accused had been impeded, or his course interrupted, when, on the contrary, every convenience had been afforded, and every help given which it was possible for either part of the house to procure. If every similar investigation were retrospectively viewed, it would be seen that there never was an occasion on which less obstruction had been given, or more aid afforded. This he saw plainly was an attempt to prejudice the public.

mind against the present inquiry ; but he would appeal even to the noble lord himself, could any thing be more plainly unanimous than a case in which not a single division had ensued. He was well convinced, from what he knew of the noble lord, that he would be the very last man in the house either to give up any opinion of his own, or accede to the opinion of any other when he did not like it. [*Hear, hear!*] As to the rapidity with which this proceeding had been conducted, he would only observe, that the honourable mover had had his own time for arrangement; and there certainly did occur no instance, during the course of examination, in which he required any reasonable delay, that it was not granted. There had been no concluding period fixed ; and where there had been a supposition that witnesses could not attend, a conditional adjournment had been allowed. With respect to the so much spoken of threat of infamy attaching to the accuser in case of failure, he must say, he had heard of no such threat ; but he had heard, that if it appeared that this accusation had originated in a vile conspiracy, and had been proceeded in on false and fabricated evidence, then, certainly censure must fall somewhere. As to the unfair attack of which the noble lord complained, he was ready to say now what he had said last night, namely, that the noble lord was very right in not referring to any particular case, until he knew whether or not he could produce the papers. But there had been no stigma whatever cast upon him (Lord Folkestone). He certainly knew the solicitor to whom the noble lord had referred, but he must beg leave to decline the recollection of having done him any favour ; at least, if he had, the gratitude of the person obliged was stronger than his own memory ; but the noble lord had forgotten to tell, that when he called upon him (the Chancellor of the Exchequer) in the morning, he had expressly hoped that no sense of obligation in the solicitor to him, would prevent the papers being produced, and the affair investigated. But the noble lord had gone very far indeed, when he stated that information of officers competent to give it, had been refused, for the fear of government's displeasure. It was easy for any man to see that this was an attempt to create prejudice in the minds of the people. It was a most unfair and ungenerous assertion. No new case was brought forward, no new evidence produced ; but indeed it was said more cases,

and more evidence could be produced, were it not for fear of government's displeasure. Was this just, or right, or legal? Why, the noble lord should have at least delayed until he had investigated the cases, and learned a little more moderation and justice, from the experience of his past errors in this very proceeding. No doubt, at the commencement, he thought many cases very different indeed from what they afterwards appeared; and how did he know that he had not made the same mistake as to the future ones to which he now alluded? The noble lord had better first see the papers, as on former occasions, and then he could be a better judge as to whether the charge could be substantiated. He hoped the House would excuse the warmth with which he had spoken; but it proceeded from his interest in the subject; and he should have considered himself culpable, had he sat silent.

Lord Folkestone, in explanation, stated, that with respect to the new cases, he did not say that they were numerous, but that this was not the only instance which could not be proceeded in from want of evidence, arising from the cause he had assigned. As to the charge of infamy, he repeated that it had been asserted that infamy must fall somewhere—on the accused, if guilty; on the accuser, if he could not substantiate his charges. [*Hear! hear!*]

The Chancellor of the Exchequer. If there are officers, who from such a cause will not give information, why not call them to the bar of the house, where they can be compelled?

Lord Folkestone. Will the right honourable gentleman inform me how I am to do that without knowing their names?

Mr. Adam rose in some warmth, and said that he felt himself compelled to make some observations upon what he understood had fallen from the noble lord when he was not in his place. He had heard that the noble lord had asserted, that the honourable mover of this business had been driven to his present course by the "*professed adviser of the Duke of York*." Now he had always understood that it had been the courtesy of the house to designate every one of its members by their proper or professional title. A mere member was called the "*honourable gentleman*;" a privy councillor, "*the right honourable gentleman*," and a person of his profession, "*the*

learned and honourable gentleman." He saw plainly the cause of the deviation in the present instance. The noble lord had not chosen to say "*the learned gentleman* has forced the honourable mover to this course," but "*the adviser of the Duke of York*," has done so. This was an assertion which he had a right to counteract. He had undoubtedly his feelings as a witness, but he certainly did not carry into that house any other principles than those by which a member should be influenced. He was anxious to repel the epithet which had been attached to him. He had, in the course of a long life and arduous line of active duty, preserved an immaculate public character; and he defied any man to say that in the course of 25 years, he had ever deviated from the strict principles of integrity. He had a growing and a young family—he had his character and his talents alone to rely on—he had to struggle as much as any man, with the *res angusta domi*; yet that house could not produce a single instance in which he had deserted his duty, or yielded to temptation. He had adopted a line of independent conduct in the beginning of his life, and he had uniformly adhered to it, scorning to barter that independence for interest. If then such had been his progress, it was a little too late now to make the house believe that he merged the character of a member in that of the Duke of York's adviser. He had a long intercourse with the illustrious Duke, and it was natural for him to take an interest in the method of proceeding. He had, therefore, stated his sentiments on the subject; at first strongly urging publicity; and, as well as he could recollect, when the proposal for a public commission was made, there were but two dissentient voices in the house. He never attempted to stand in the way of a free and perfect inquiry, nor tried to obtrude his personal advice on the committee; but after being called up as he had been now, he thought it but justice to speak his mind openly, fairly, and fully to the house.

Lord Folkestone declared, that he certainly had applied the epithet of *learned* to the learned gentleman; but at all events he was sure that when he called him the "*adviser of the Duke of York*," he did not mean to cast any imputation on his integrity.

Mr. Calcraft could not silently hear the noble lord say that his honourable friend (Mr. Wardle) had been deserted

by all the committee, except by him; for his own part, if he felt himself competent to the task, he was very willing to give his feeble aid. He must remark the manly course which the honourable mover had chosen, standing as he did singly and alone. He had rested his credit on the case, and had proceeded boldly to the justification of his charges. But he could not allow the noble lord thus to arrogate to himself superior merit to the rest of the committee. He had read, or knew very well he should read, the noble lord's panegyric in a certain publication (*a laugh*); but he could not help saying it would come from any one with a much better grace than from the noble lord himself.

Lord Folkestone said, he had not meant to pass a panegyric on himself; he had been misunderstood.

The house then resolved itself into a committee.

A member here said, that an unfavourable impression had been made on the public, relative to the expence of the establishment in Gloucester-place; now he wished some friend of the Duke of York's might be called in and examined as to that point.

Mr. Wardle said, as he had understood that some suspicions had been sent abroad relative to the authenticity of the Duke of York's letters, whose writing had been only spoken to by *Mrs. Clarke*, he now wished to have the matter put beyond doubt.

Sir Vicary Gibbs said, he did not believe the writing had been denied in that house, and that when any honourable member brought forward a letter in the house, he generally substantiated it by as good evidence as he could produce.

Mr. Wardle wished to have the two letters of *Samuel Carter* to *Mrs. Clarke* read.

Mr. Leech suggested the propriety of proving the handwriting.

Mrs. MARY ANN CLARKE was called in and examined by the Committee, as follows:

Do you know the hand-writing of *Samuel Carter*? Yes, I do.

Do you know that to be his hand-writing? Yes, I do.

Is that also [*another letter*] his hand-writing? Yes, and that also [*a third letter*].

Have you ever seen him write? Yes, I have, many times.

Do you know the hand-writing of *General Clavering*? Yes, I do.

Have you ever seen him write? Yes, I have, many times.

Do you know that to be his hand-writing? [*a letter being shewn to the witness.*] Yes, it is. [*Three other letters being shewn to Mrs. Clarke.*] These also are General Clavering's hand-writing.

Is that the hand-writing of Baroness Nolleken? [*a letter being shewn to the witness.*] Yes.

Is that also? [*another letter.*] It is.

Did you ever see the Baroness write? Yes, I have; and that also. [*a third letter*] is her hand-writing.

Did you ever see Mr. Elderton write? There are three Mr. Eldertons.

Did you ever see the Mr. Elderton write by whom those letters are subscribed? Yes; I got him a paymastership in the 22d light dragoons; these three are all his hand-writing; it is the eldest Mr. Elderton. Before I leave the House I beg leave to say, I never in my life told Mr. Nicholls that I was married to Mr. Dowler, and that the Duke of York would send him abroad; nor any thing of the kind. I rather think he has been bribed by Mr. Wilkinson.

[The following papers were read:]

"Hon. Madam,

"20th Sept. 1804.

"I wrote to the Inspector-General (Gwynn) for leave of absence on the 14th, but received no answer, which has thrown me into a great dilemma, having this morning been put in orders to hold myself in readiness to do duty in a day or two. The adjutant informs me, if I have not my regimentals ready when called upon, I shall be put under an arrest. Permit me, Madam, to hope that your goodness (which I have experienced so often in the greatest degree possible) will extricate me from so unpleasant a situation, by obtaining me leave of absence speedily.

Honoured Madam, the favour of a line would tend to disperse those fears which have been some time prevalent with me, which was occasioned by your silence, (viz.) that some part of my conduct has offended you: from gratitude, I say with energy, God Almighty forbid.

"Accept, Madam,

"The sincere thanks and acknowledgments of your grateful servant,

"SAMUEL CARTER.

"Note. Having wrote to his Royal Highness for leave, I received an answer, directing me to apply to the inspector-general.

"Mrs. Clarke, 18, Gloucester-place,
Portman-square, London."

"Isle of Wight, 2d Oct. 1804.

"I was extremely sorry at not having had it in my power to wait until you came in from the Baron's, in order to thank you for the kind benevolence I have ever experienced from you, and which has made so deep an impression on my heart and mind as not to be erased by time. Honoured Madam, I have still to beg the continuance of that benevolence; for, having placed me in a situation which requires a great number of expensive things at first, and notwithstanding having laid out my money with the greatest economy, I find it inadequate. I have now the offer of a barrack-room (which will save the expence of lodg-

ings), but I have no cot, or any money to buy one; neither have I any to subsist on till the 24th. If, Madam, you will extend your kindness toward me once more, it will ever be gratefully remembered,

"By, Madam, your sincerely thankful servant,

"SAMUEL CARTER.

"Honoured Madam, I have set the things down which I bought, by which you will see the state of my purse.

	£.	s.	d.
"Belt and seather - - -	1	8	0
"To sword and sash - - -	6	3	0
"Gorget and sword-knot - - -	1	8	0
"Paid Lewis - - -	7	0	0
"Do. laundry maid - - -	0	10	6
"Do. taylor's bill - - -	2	3	0
"Trunk - - -	1	11	6
"Gloves and stockings - - -	1	2	0
"Silk handkerchiefs - - -	0	14	0
"Round hat trim'd - - -	1	14	0
"Watch from pledge - - -	2	3	0
"Boots and shoes - - -	3	10	0
"Expences down - - -	2	5	0
"Borrow'd at depot - - -	6	2	6
"To jacket and trimmings - - -	4	5	0

£41 19 6

"Mrs. Clarke, 18, Gloucester-place,
"Portman-square, London."

"Clarendon Transport, Spithead, 4th Jan. 1805.

"Honoured Madam,

"Impelled by my dreadful situation, and my perfect knowledge of your goodness, I trust you will pardon the liberty of addressing you again.

"Since my last, the embarkation has taken place, and I am now on board in a situation not to be described. You can form a better idea of it than in my power to express. I have no stock for the voyage, neither have I any money to purchase those little things which are absolutely necessary. I have to keep watch four hours every night, and have nothing to eat but salt meat three times a week, and water to drink, the rum being so bad, 'tis impossible to drink it.

"Your goodness to me has ever been such as leaves not the smallest doubt that you will not suffer me to starve in the situation you have been pleased to place me, and which is such as will ever tend to make me the most grateful and happy of beings.

"Should, Madam, you be induced to take into consideration my wretched case, and by a little pecuniary aid save from every thing that is horrible, it will be an act worthy of yourself, and imprint that upon my heart which will never be erased.

"I am, Madam,

"Your grateful servant,

"SAM. CARTER.

"Be so kind as direct the letters to be left
at the Post-office, Portsmouth.

"P. S. We shall lay at Spithead this fortnight. Having received orders to sail to Cork this morning, I have opened the letter, in order to pray you would direct to Cork, but we only stay there 24 hours, as the convoy is appointed.

"Mrs. Clarke, 18, Gloucester-place,
Portman-square, London."

"Bishop's Walkham, 30th June, 1804.

"My dear Mrs. C.

"Where your note of Wednesday has been travelling; as it only arrived here this morning, I have no notion, and it had not reached Conduit-street at five o'clock Wednesday afternoon, when I quitted town. The disappointment is provoking, as I particularly wished to have seen you. But we must console ourselves in the hope of more fortunate times.

"Very truly yours,

"H. M. CLAVERING.

"Mrs. Clarke, 18, Gloucester-place,
Portman-square, London."

"Bishop's Walkham, 5th Sept. 1804.

"My dear Mrs. C—,

"You mention that his Royal Highness did not comprehend my proposal; my idea was this: the defence act, article 30, states, "that men to be raised by that act, are not compellable to serve out of the United Kingdom, and islands immediately attached." And in 32, "that they shall not remain embodied for more than six months after the peace." We have already experienced the fatal necessity of disbanding corps at an apparent conclusion of war, and the mischief arising from holding out temptation to men to extend their services.

"My proposal then was, to raise a battalion for *general and unlimited service*, by the voluntary offers of a stipulated number of men from each regiment of militia, at a certain bounty, in the same manner as some of our regiments were augmented during the last war. The battalion to be solely officered from the half-pay list, by which government would at once acquire a certain effective and well-disciplined force, whose services they can to any period command, the half-pay to be lightened, and the militia colonels have no reason to growl, since it is determined that their establishment is to be reduced, towards which the men so volunteering would conduce.

"Should an opportunity occur, do submit the plan to his Royal Highness, without arguing too strongly upon it, as he must be tired to death with proposals; and as I would not appear, even through so circuitous a channel, to trespass on his patience, when so recently under an obligation for my present appointment.

"If you approve of dry reading, get the defence act to refer to, and do communicate all the good things in the good town.

"Always very truly yours,

"H. M. CLAVERING."

"My dear Mrs. C.

"28th Sept.

"I shall not pursue the partridges on the first of September; on the contrary, propose being in London in the course of the morning, and

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beg you will send me word at the Prince of Wales's coffee-house, whether you can receive me in boots about six, or later, if you please.

"Very truly yours,

"H. M. CLAVERING.

"Mrs. Clarke, 18, Gloucester-place,
"Portman-square, London."

"Bishop's Waltham, 11th Nov. 1804.

"My dear Mrs. C.

"The purport of this is to thank you for your attempt to serve me, though unsuccessful, the inclination being the same. On Sunday next I propose being in town, if possible, for one day only. Can you so contrive that we shall meet?

"Your's very truly,

"H. M. CLAVERING.

"Mrs. Clarke, 18, Gloucester-place,
"Portman-square, London."

"Bishop's Waltham, 12th Dec. 1804.

"My dear Mrs. C.

"There is a strong report, that some new regiments are about to be raised, which, though incredible, I will be obliged to you to ascertain the truth of, and to acquaint me soon as possible. W. O. left me this morning for town, to return again next week.

"Very truly yours,

"H. M. CLAVERING.

"Mrs. Clarke, 18, Gloucester-place,
"Portman-square, London."

Mrs. MARY ANN CLARKE was again called in, and examined by the Committee, as follows:

"Through what influence did you get the paymastership for Mr. Elderton? The Duke of York obliged Mr. Greenwood to give it, very much against Mr. Greenwood's wishes.

"Was it any military matter upon which the Baroness Nolleken wrote to you? No, it was not.

"In consequence of the Baroness Nolleken's letter, did you apply to the Duke of York upon the subject of that letter? Yes, I did, but I do not know what that subject is; there are several wishes the Baroness had, that I applied about; I shewed all her letters to him.

"You have stated, that the Duke of York obliged Mr. Greenwood to give the paymastership to Mr. Elderton, much against his consent; how do you know that? His Royal Highness told me so himself; and very likely Mr. Greenwood will say so too.

"Look at those letters again, and say whether they are all written by the same person? Those are her letters (No. 41 and 119); when she was ill her eldest son wrote for her; I should rather think this (No. 127) is her eldest son's writing.

"Did you ever see the eldest son write? Yes, I think I have; but I cannot be positive as to his hand-writing; only I know the Baroness has frequently told me that she had ordered her son to write to me when she has been ill.

Is the letter which you say was written by the son of the Baroness, one of those which you just said was written by the Baroness herself? Yes, it is one of those; but you will allow that I had not a moment to look over it; and another thing, those letters have been taken without my consent, and I have not looked at them myself; I had sent them down to be burned, and never thought they would come forward again, and this is near a twelvemonth since.

Do you mean by the eldest son of the Baroness Nolleken, Mr. Le Maitre? No, Gustavus Nolleken.

Have you ever seen him write? Yes, I have seen him write, I think; but I cannot be positive as to his hand, any further than I said before, that he used to write his mother's notes.

Do you mean to say that those letters were written only twelve months ago? No; I suppose there are dates to them, to shew when they were written.

Do you know the hand-writing of any other son of Baroness Nolleken? No; I was acquainted with the two sons, but I do not know the writing; the youngest son was in the guards, and was very seldom with his mother; the other was always with his mother, and a great deal with me.

Then you cannot positively state that this is the hand-writing of any one son of the Baroness Nolleken in particular? No, I cannot; perhaps it is the Baron's writing; he used to write to me.

In short you do not know whose hand-writing it is? I hardly looked at it; I know pretty well what the subject is, and whence it came; the Baroness wanted a pension of 400*l.* a year, and, if I recollect right, that is the letter about it.

[The witness was directed to withdraw.]

[The following papers were read.]

" My dear Madam,

" Nothing but the pardonable anxiety which I naturally feel for the welfare of a child, should induce me to presume to trespass upon you at present.

" You know my boy Charles, he is a fine youth, with a finished education. His appointment to a Cadetship in the infantry for Madras was confirmed this morning, and I shall engage him a passage on board the Ocean, which will sail from the Downs in about five days.

" Charles must leave town for *Portsmouth*, and go on board on *Wednesday next*.

" Do you think, my dear Madam, that his Royal Highness the Duke of York will condescend to honour him with letters of recommendation to
Lord William Bentinck, Governor of Madras,
and to

Major General Sir John Francis Craddock, K. B. the Commander in Chief there; desiring them to exchange him from the infantry, and place him in the cavalry?

" If you will confer upon us both the very great favour of soliciting his Royal Highness to deign to confer upon us this distinguished obligation, it will for ever remain deeply engraven upon the grateful hearts of Charles Elderton, and of

" My dear Madam,

" Your's very sincerely,

" H. Y. ELDERTON.

" Friday, 18th Jan.

" I have this moment received a summons to attend Mr. Greenwood, who has heard from Scotland, and desires me *not* to make any preparations for a voyage. I fear all is over in that quarter, but I shall know to-morrow, and will immediately afterwards wait upon you.

" *Mrs. Clarke, 18, Gloucester-place,*

" *Portman-square.*"

" My dear Madam,

" I fancy you are (and I sincerely hope you ever will remain) a perfect stranger to anxiety, otherwise I think you would not have left town on Friday, without first gratifying me with a reply to my last.

" Perhaps you will have the goodness to introduce the subject to the notice of his Royal Highness on Monday evening, and so enable yourself to oblige me on Tuesday morning with such an answer as may serve to guide the conduct of

" Your faithful servant,

" H. Y. ELBERTON.

" 21, Portman-street, 3d Dec.

" *Mrs. Clarke, 18, Gloucester-place,*

" *Portman-square.*"

" Sir,

" It is infinitely beyond the power of language to convey to your Royal Highness an adequate idea of the extent of my gratitude for the great favour which you have deigned to confer upon me, in confirming the leave of absence granted to me by Sir Robert Abercrombie. Your Royal Highness has raised me from the most profound despair to happiness, and I shall never cease to bless your Royal Highness for your gracious condescension and goodness towards

" Your Royal Highness's

" Most devoted servant,

" H. Y. ELBERTON.

" 17th April,

" *His Royal Highness the Duke of York,*
&c. &c."

" My dear Madam,

" *Gloucester-place, Sept. 22.*

" I am this moment favoured with your very kind letter; this fresh mark of your friendship gives me great pleasure. I hope the change of air has perfectly restored your health, and that I shall have the satisfaction of seeing you return to town in as good looks as ever. My dear Baron, with his best respects to you, begs you will have goodness to assure H. R. H. of the deep sense of gratitude he feels for the Duke's gracious remembrance of him, and thinks with you that his Majesty would be more liberal to him than Mr. —, if he dare presume to judge from his Majesty's goodness to him for these forty years past, on every occasion. I hope the weather has been as fine at Margate as in London; it has, thank God, quite restored my health. I flatter myself you will favour me with a visit on Wednesday, any time most agreeable to you to name; for, be assured I enjoy very sincerely the pleasure of your society, exclusive of the gratitude I shall ever feel for the kind interest you take for me and mine. Adieu, my dear Madam.

" Believe me yours,

" Most truly,

" *Mrs. Clarke, Royal Hotel,*
Margate, Kent."

" M. NOLEKEN.

" Dear Madam,

" I see by the papers, that the *D.* was with the King yesterday morning, and that Mr. Pitt had a private audience of his Majesty, I therefore indulge a hope that my request may have been thought of; do then, my dear Madam, inform me in what state of forwardness it now stands, when and by whom my letter was given, and how received. Pardon my giving you the trouble of answering me *all* these questions, but the very *kind* part you have taken in this business, assures me you will pardon me, and think it but natural I should feel *anxious* in a matter of so much consequence to me and mine. A thousand thanks for the care you were so good as to send me yesterday, and with my kindest wishes, be assured,

" My dear Madam,

" I remain most sincerely,

" Your most obliged,

" M. NOLEKEN.

" *Thursday, Five o'clock.*

Mrs. Clarke, 18."

THOMAS WALKER was called in, and examined by the Committee, as follows:

Did you live with Mrs. Clarke in Gloucester-place, as coachman? Yes.

Do you recollect a footman there, of the name of Samuel Carter? Yes.

Was Samuel Carter in the constant habit of waiting at dinner, while he was there? Yes, he was.

Do you know Miss Taylor? Yes, I do.

Have you frequently seen her in Gloucester-place? Yes, I have.

Do you recollect and know whether Samuel Carter was in the habit of going behind the carriage? Yes, he did.

Were you head coachman at Gloucester-place? I was.

How many horses did Mrs. Clarke keep? Sometimes six, sometimes eight.

How many carriages? Two.

Never more? No more at one time.

Do you know who provided the keep for the horses? Mrs. Clarke.

Did she pay the bills? As far as I know, she did.

Were they paid through you? No, they were not.

Did Samuel Carter wear a livery? No, he did not.

How do you know that Samuel Carter ever waited at table? I waited at the same time.

Did you ever wait at table when the Duke of York was there? I did.

Did you wear a livery when you waited at table? I did not.

When Samuel Carter went behind the carriage, did he go behind the carriage without a livery? Yes, he did.

Had Mrs. Clarke any livery for any of her servants? Yes, the footman.

Did you wear a livery when you drove the carriage? I certainly did.

Do you know with whom Sam. Carter lived before he came to Mrs. Clarke? I understood he was along with Captain Sutton.

Did you ever see him at Mrs. Clarke's when he was Captain Sutton's servant? I did not.

When you said he was along with Captain Sutton, did you mean that he was Captain Sutton's servant? I did not.

When he lived at Mrs. Clarke's, did he dine with the other servants? He did, for any thing I knew.

Did you dine with the other servants? I did not.

Were you upon board wages? Yes, I was.

Did you ever hear whose son Samuel Carter was supposed to be? I never did.

How many more servants did Mrs. Clarke keep? Sometimes six, sometimes seven.

You have stated, that you waited at table; do you recollect Miss Taylor dining there when you waited at table? I recollect when his Royal Highness and Mrs. Clarke dined together, there was another lady.

Do you know who that other lady was? I do not.

Do you mean that you do not know or do not recollect? I do not recollect.

Do you know Miss Taylor? I do now.

You have stated before, that you know Miss Taylor; are you certain that you ever saw Miss Taylor in Gloucester-place? I am certain I have.

What did you understand Samuel Carter was to Captain Sutton? I never heard what he was.

You do not know that he was not a servant? I do not.

How long have you lived with Mrs. Clarke? About three years.

With whom do you live now? With Mrs. Clarke.

When did you first live with Mrs. Clarke? At the time that his Royal Highness came to Gloucester-place.

Have you lived with her continually ever since? I have not.

When did you leave her? After Mrs. Clarke left Gloucester-place.

When did you return to her service? About six weeks ago.

You did not live with her at any time between her leaving Gloucester-place and six weeks ago? A little while after she left Gloucester-place.

Did Samuel Carter very frequently go behind the carriage? Not more than once or twice.

How long had Samuel Carter lived with Mrs. Clarke? I think about a twelvemonth, to the best of my knowledge.

[The witness was directed to withdraw.]

WILLIAM McDOWALL was called in, and examined by the Committee, as follows;

Did you live with Mrs. Clarke as footman, in Gloucester-place? Yes.

Do you recollect the name of the other footman that was there at the same time? His name was Carter; he went by that name; I cannot say any further.

Did you and the other footman of the name of Carter, do your work together? Yes.

Do you know Miss Taylor? I know a lady of the name of Miss Taylor, but I cannot recollect her, there are so many of the

name; I cannot say that I know any thing particular; I know the lady that used to go down to Weybridge of that name; that is all I can say.

Do you recollect that Miss Taylor being in Gloucester-place as well as at Weybridge? I cannot say; I have known a lady of the name of Miss Taylor that used to call there, but I cannot say that I should know her.

Do you recollect the lady whom you speak of as Miss Taylor, the lady that was at Weybridge, being at Gloucester-place? Yes, I do by that name.

Do you recollect Miss Taylor even being at Weybridge when the Duke of York was there? I cannot say, the Duke of York might be there; but I cannot speak to that, for the reason, because I do not know it.

Were you in the habits of going to Weybridge with your mistress? Yes.

Did you ever see the Duke of York there? Yes, I cannot say but I did.

You also state, that you have seen Miss Taylor at Weybridge; can you recollect whether you ever saw Miss Taylor at Weybridge at the time the Duke of York was there? I have told that before, that the Duke of York might be at Weybridge, for any thing that I know.

Was Carter employed in any other manner, except waiting at the table? Yes, he was employed as a servant; when I went into the house, he acted as a servant, as far as I know.

Did he dine with the other servants? Yes.

Did Carter act in the same capacity, as a servant, as yourself? I suppose so; he did the work along with me; that is all I can say.

Do you live now with Mrs. Clarke? No, I do not.

Are you in place now? Yes, I am.

With whom? With Mr. Johnson.

What year did you live with Samuel Carter at Mrs. Clarke's? That I cannot recollect; I cannot say, justly.

[The witness was directed to withdraw,

Mr. Sumner observed, that as the witness appeared to be in a state of intoxication, his evidence ought not at present to be received.—Mr. Bathurst thought that though the witness had certainly taken rather too much, he did not appear to be incapable of answering questions; and that, compared with the testimony of some of the evidence that had appeared before the House, his testimony was tolerated.—Sir Thomas Turton, Mr. Smith, the Chancellor of the Exchequer, Mr. Brown, Colonels Verker and Ellison, Captain Harvey, Mr. Fuller, Mr. Barham, and Mr. Sumner, spoke as to the question of propriety and form, and the result was, that the witness was again called in.

What year did you live with Samuel Carter at Mrs. Clarke's? I told you I could not recollect.

Was it in the year 1808? I cannot recollect; I cannot call it to my memory; I can guess very nigh it, though.

What do you guess? I cannot say justly; I can tell the year partly. What was the year? I told you before I did not recollect; and I cannot say the date, for I do not remember it, and therefore it is of no use for me to say the date.

You have said you know the year partly; state whether you can at all recollect the year? No, I cannot.

Was it four years ago? Yes, rather more than that, I believe.

Was it six years ago? If I could recollect the date, I then should have no occasion to say I did not know it.

You do not know whether it is three years ago or six? I do not know indeed, I have said that before.

Did you wear a livery when you lived with Mrs. Clarke? Yes.

Did Samuel Carter wear a livery at that time? No, he did not wear a livery during my time.

When did you quit Mrs. Clarke's service? You ask me a question, which I cannot answer, because I cannot recollect the time; I never took an account of the time I left the house.

At what time did you get your summons to attend this House? I did not set that down even, I forget that even; I know what day I got the notice to come.

At what time did you get the notice to come here? I cannot justly tell the hour.

Was it to-day or yesterday? I received the notice to attend the House, and I paid that respect to attend the House accordingly, as I was ordered.

When did you receive the notice? I received it on Monday, and I received it this afternoon.

[The witness was directed to withdraw.

Mrs. MARTHA FAVERY was called in; and examined by the Committee, as follows:

Did you live with Mrs. Clarke as housekeeper, in Gloucester-place? Yes.

Do you recollect a footman there of the name of Samuel Carter? Yes.

Was Samuel Carter in the constant habit of waiting at table on the Duke of York, and Mrs. Clarke and her company? Yes.

Do you know Miss Taylor? Yes.

Was Miss Taylor in the habits of being often in Gloucester-place with Mrs. Clarke and the Duke of York? Yes.

Do you recollect any thing with regard to a note being changed, just before the Duke went to Weymouth, and Mrs. Clarke to Worthing? Yes, I do.

State what you know about that. I know that the Duke's servant came in the morning, and I gave him this note, but I do not know the number of it, nor what note it was, and he returned again about eleven o'clock and gave me the money; I took it up stairs, and then the Duke was in the bed-room, and Mrs. Clarke; in short they were in bed.

Do you recollect who that servant was? A German, Ladowick.

Was Samuel Carter in the habits of sharing the duty of a footman with the other man? He cleaned the knives, cleaned the plate, attended the carriage, and waited at table on his Royal Highness.

Was not the house in Gloucester-place to your knowledge kept at a great expence? It certainly was; there were sometimes two men cooks, sometimes three men cooks.

Do you mean that those cooks were on any particular occasion of dinners, or when do you mean that there were two or three men cooks? When there was a particular dinner there were three men cooks, or sometimes more; Mrs. Clarke always wished to have her dinners go up in the best manner, to please his Royal Highness, and if there was any dinner found fault with by his Royal Highness, she would have another.

Have you often known Mrs. Clarke distressed for money during that period? She never could pay her debts properly after the first quarter; people were tearing me to pieces for money, and saying that I kept it.

When did you first live with Mrs. Clarke? When she went to Gloucester-place.

Had you known Mrs. Clarke before that time? Yes.

How long had you known Mrs. Clarke? I lived with her before she went to Gloucester-place; I have known her these ten years; more than that.

How much more? I cannot exactly say how much more.

Have you known her twenty years? No, I have not known her twenty years.

Where did you first know Mrs. Clarke? I knew her at Hampstead; I went to be a servant to her there.

Did you not know her before that time? Yes, I went about six weeks after she was married, to live with her.

After she was married to Mr. Clarke? Yes.

Did you live with her from that time till she went to Gloucester-place? No, I lived with her three or four times since; I went away and came back to her.

Who first recommended you to Mrs. Clarke? The paper.

Do you mean by an advertisement? Yes.

Did you know nothing of Mrs. Clarke till you saw that advertisement? No, I did not.

Did you live with her at Gloucester-place? I went with her to Gloucester-place; from Tavistock-place to Gloucester-place.

Then you lived with her in Tavistock-place? Yes, I did.

Where did Mrs. Clarke live before she went to Tavistock-place? I do not know, I did not live with her all the time.

Do not you know where she lived all that time? No, I was in the country with another family.

With what family were you in the country? I am not obliged to answer that.

Yes you are. It was a family who are dead.

Who were they? One Mr. Ellis.

Where did he live? In the city.

What part of the city? He was a carpenter.

In what part of the city? I really do not know the name of the street, I cannot recollect it, it is so long ago.

How long did you live there? Two years.

If you lived two years in the same street, you must know where they lived. It was not in the same house, it was in lodgings.

Where were the lodgings? I cannot tell.

In how many different places did they live while you were with them? They had different apartments; they kept shop in one part of the town, and apartments in another.

What part of the town did they keep a shop? I cannot recollect indeed; I was at Brighton and Margate with them, and in different parts about.

What other parts besides Margate and Brighton? I was at Ramsgate, and many little places about, that I did not think about.

Was it upon parties of pleasure the family went to Margate and Brighton and Ramsgate? No, they were all ill, the mistress and children and all; they went for their health, I suppose.

They went to these different places for their health? I suppose so; I cannot say what they went for particularly; I do not know their concerns.

Then why do you suppose they went for their health, if you know nothing about it? I should think so, if they went to those places.

How many did the family consist of? Four.

Mr. and Mrs. Ellis? Yes, and two children.

Any servant but yourself? No.

Who was left in the shop while they were absent? I cannot say, I am sure I do not know.

How many they kept a shop in one part of the town, and had lodgings in another? Yes.

In what part of the town was the shop? I really do not know; I did not concern myself with the shop, I never went there.

In what part of the town were the lodgings? In some of the streets near Cheapside, but it is out of my memory entirely; when I leave a place, I never trouble it again.

You have said that they lived in more places than one in London, what other place can you recollect besides the street near Cheapside? I really cannot recollect any thing at all about it; I do not know any thing about it.

In how many different lodgings did they live in London, while you were with them? I cannot say; they left me till I went to Brighton; I went to Brighton with the children.

Did they live in two, three, or four different lodgings? I cannot answer that question indeed.

Did you go to Brighton with the children, without Mr. and Mrs. Ellis? Yes I did, indeed.

Did Mr. and Mrs. Ellis come to you there? Yes, they did.

How long did they stay there? I believe we were there about three months.

Where did you live at Brighton? I will tell you as nigh as I can; opposite the sea; but I do not know the name of the street, though I was there.

When did you go to Margate? Really I cannot tell you such a question as that, I do not keep that in my head; I do not know.

Where did they live at Margate? In the High-street.

Are Mr. and Mrs. Ellis dead? Yes, so I heard.

And the children? I do not know, I never inquired after them.

What reason had you for not choosing to mention this family? I have no reason at all, I answer as nearly as I can recollect.

Do you know Captain Sutton? I did, but he is dead; he has been dead two years, I believe, I can recollect that.

Was not Samuel Carter supposed to be his natural son? I cannot tell.

Did you never suppose that? No; I cannot tell what other persons supposed.

Carter did not wear a livery? No.

You have stated that there was a very expensive establishment in Gloucester-place; did his Royal Highness at any time give you any money to defray the expences of that establishment? He never gave me any in his life.

Did any body belonging to him? No, nor any body belonging to him.

Where did Mrs. Clarke live when you lived with her first? At Hampstead.

Was that prior to your living with Mrs. Ellis? It was before.

Then how comes it that you recollect the place you lived in with Mrs. Clarke, and do not recollect where you lived with Mrs. Ellis afterwards? Because I lived longer with Mrs. Clarke than I did with those people.

Did you not live two years with Mrs. Ellis? Yes, I did.

Do you mean the Committee should understand, that you do not recollect where you lived two years with Mrs. Ellis? No, I do not; I was at Brighton, Margate, and Ramsgate, and other places; and I suppose they were like a great many people, in debt, and went about in consequence, if I must tell the truth; but it is not the thing to tell family affairs.

You have said Mrs. Ellis kept a shop in one part of the town, and lodgings in another; now you tell the Committee you were living about all the time; how do you reconcile that? They may go about, his wife may, and he may keep out of the way, or stay at home; I cannot tell how they manage those things.

Are you not related to Mrs. Clarke? No.

Do you mean to deny that you are Mrs. Clarke's sister? I do; I am not Mrs. Clarke's sister.

Did you pay any of Mrs. Clarke's servants' wages? Yes, I did.

What were the wages you paid to Samuel Carter? I really cannot say what I gave him.

Did you ever pay Samuel Carter any wages? I have given him money a great many times, when he has asked for money to buy himself shoes and things he wanted.

Do you recollect whether there was any agreement made for wages? No, I do not.

You have stated that you were housekeeper to Mrs. Clarke, and superintended a very large establishment, and had two or three cooks at particular times; what number in general did you superintend, and have to provide for? I am sure I cannot say; there were always very elegant dinners went up, and what they could not do came from the pastry-cook's; there were four men in the stable, a butler, and two footmen, two cooks, a laundry-maid, a house-maid, a kitchen-maid, and another little girl that worked at her needle, and myself, and a char-woman to wash one day in the week.

You have mentioned that there were very considerable embarrassments happened, and that you have been applied to for money, and have been supposed to keep it instead of paying the different creditors; did you tell her of those distresses, and apply to her for money; and if so, what answer did you get? I did inform her; she said that his Royal Highness had been very backward in his payments to her, and I must put the people off; and accordingly I did as she said.

Did Mrs. Clarke ever mention to you that his Royal Highness said that he would give, or had given her sums of money, to pay those debts? No, I never heard that.

Did you never mention to Mrs. Clarke, that you wished her to ask money from the Duke of York, to pay those debts? Yes, I did.

What was the answer Mrs. Clarke made? She said all would be paid as soon as she had it from his Royal Highness.

Were not many of those debts paid? A great many were paid.

You have stated, that you applied to Mrs. Clarke, telling her that she owed certain sums of money, to get it from the Duke of York; do you know from your own knowledge that many of those debts were afterwards paid? Some of the debts were paid while he was there; I have paid the baker, and I have paid the butcher twice.

Then upon your application, desiring Mrs. Clarke would apply to the Duke of York, have you often found debts paid? Yes, I have found many of the debts paid.

Did you know Captain Sutton by sight? Yes,

Had Captain Sutton only one leg? Only one leg.

Do you know what regiment he was of? No, I do not, I am sure.

Do you still live in the service of Mrs. Clarke? Yes.

Have you had any conversation with Mrs. Clarke on the subject of this investigation, since it commenced? No, I have not.

You have said that you paid the servants' wages while you lived with Mrs. Clarke; how many men-servants did you pay wages to? The coachman, his name is Parker, and William M'Dowall; I believe she paid Pierson herself; and the stable-man and the boy, four men in the stable, I always used to give the money once a week or once a fortnight, to them; there were in all, five in the stable and three in the house.

Were they all servants on standing annual wages? Yes, they were all yearly servants; and there were two servants at Weybridge, a gardener and a cook.

You have stated, that there were sometimes two, and sometimes three men-cooks for particular dinners; do you mean by those particular dinners, that they were dressed for a large company? No, we never had a large company; this was first when Mrs. Clarke went into that house.

Those dinners were dressed merely for two or three persons? Yes, for his Royal Highness, as far as I know, in particular.

Not for any other company? No.

You went with Mrs. Clarke when she first went to reside in Gloucester-place? Yes, I did.

Do you know who the tradesmen were who furnished the house in Gloucester-place? No.

Who furnished the upholstery? It was somebody in Bond-street; Oakley.

Do you know who furnished the china and glass? Mr. Mortlock, in Oxford street.

Do you know who furnished the house with grates? Mr. Summers, and Rose, in Bond-street.

Do you know what silversmith furnished the plate? Birketts.

Do you know any of the other tradesmen with whom Mrs. Clarke dealt? Parker's, in Fleet-street, she had something to do with.

Who was the wine-merchant? I really do not know; I believe his Royal Highness used to send it, but I do not know; he used often to send it, I know.

Did you ever pay any money on account of wages to any one of those men-cooks? Yes; I gave them a guinea a day, each of them; but I cannot recollect their names.

Did you consider that as payment for that day, or as in part of annual wages? Only for the day.

Were you in the capacity of own maid to Mrs. Clarke, or was there any other? I was own maid and housekeeper together.

Do you know Mr. Dowler? I have seen him.

Have you seen him frequently? Yes, I have seen him frequently.

Have you seen him frequently in Gloucester-place? Yes, I have.

Do you know, or not, whether he staid the night there? Never, I am very sure of that.

Did you at any time convey any messages to the tradesmen employed to furnish the house in Gloucester-place? Yes, for any thing that was wanted.

Concerning the manner in which it was to be done, and what articles were to be sent in? Yes, Mrs. Clarke's order.

Did the tradesmen seem willing to send in articles merely on Mrs. Clarke's authority? They sent what she ordered, as far as I know; sometimes they would not.

Did you use any arguments to them to induce them to send in articles, if they appeared unwilling so to do? No, I did not; I said when she had money she would certainly pay them; nothing further than that.

Did they tell you that they looked to a better paymaster than Mrs. Clarke, or any thing of that kind? They have asked me, whether his Royal Highness had settled with her, and given her money; and I said no, as soon as she had it, she would give it to them.

Was Captain Sutton in the habit of visiting at Mrs. Clarke's? Yes, she knew Captain Sutton.

Was he in the habit of visiting at Mrs. Clarke's? Yes.

Was he in the habit of visiting at Mrs. Clarke's before Samuel Carter came to live at Mrs. Clarke's house? Yes, he was.

When he came to visit Mrs. Clarke, was he not in the habit of bringing Samuel Carter as a companion? I do not know; he brought him with him, certainly.

When Samuel Carter came with Captain Sutton, was he in the habit of going with him into the parlour? No.

When Mrs. Clarke first resided in Gloucester-place, what number of servants had she at that time? Samuel Carter was the first that went there when I went; there were a coachman and two footmen, and a butler and a postilion; there were four men in the stable; she had them immediately as she got there.

Did you ever see Samuel Carter after he got a commission in the army? No, I do not think I ever did.

Do you recollect whether Samuel Carter got a commission in the

army while he was in Mrs. Clarke's service? Yes, and went to Deal to join his regiment.

He left Mrs. Clarke's service for that reason? Yes.

And you never saw him afterwards? No.

What was your name before you were married? Favery, that is my real name.

Are you a married woman? No.

Did you ever hear Mrs. Clarke say why she applied for a commission for Samuel Carter, more than for any other foot-boy in her service? No.

By what name was Samuel Carter known to his Royal Highness, by the name of Sam, Samuel, or Carter? We used to call him Sam.

Was he known by the name of Carter to his Royal Highness? Yes, he was known by the name of Carter.

Did Samuel Carter appear to you a person of superior manners and education to persons in that situation? I do not know; he was very well.

Did any of the servants dine with you in general at the same table, when you lived with Mrs. Clarke in Gloucester-place? Yes, I sat down to dinner with them all.

Can you mention any body else who was in the habit of going to the tradesmen about the articles to be furnished to the house in Gloucester-place? I never went, I sent a servant always, and William M'Dowall has been at Oakley's, in Bond-street, and to Rose and Summers's, and to different tradesmen.

Do you know any body else who went? Peirson used to go.

You did not know any agent or steward, or any person of that description, who used to go? No.

Do you know whether a person of the name of Taylor used to go? I am not sure whether he went; he might be sent by Mrs. Clarke, he was not by me.

Do you know any thing of his going? No, I do not.

When you lived in Gloucester-place, was Mrs. Clarke in the habit of receiving visits from other gentlemen besides his Royal Highness the Duke of York? Yes, several people came.

Gentlemen? Yes, gentlemen came backwards and forwards.

Did you ever know that any of those gentlemen were considered as opulent? I really do not know.

You have stated, that you were in the habit of dining with all the servants; of course the coachman was one of that number? Yes, he was.

Do you remember Captain Wallis visiting there? No, I never remember such a name.

[The witness was directed to withdraw.]

GWYLLYM LLOYD WARDLE, Esq. attending in his place, was examined by the Committee, as follows:

In folio 132 of the printed Minutes of the Evidence, there appears a letter written by Mrs. Clarke to Mr. Donovan, in which is the following expression, the date of the letter is January 28th, 1809: "I must be candid, and tell you, that in order to facilitate some negotiations, I had given him a few of your letters: in one you speak of the Queen, in another of the two Deaneries." Did Mrs. Clarke give you any letters in order to facilitate any negotiation? I never had any negotiation

with Mrs. Clarke about letters in my life; I do not know what she means by the expression of a negotiation.

Are these the letters which she stated you had taken away from her? I took some of Mr. Donovan's letters in the way I have before described, which I have produced to the House; but what she means by negotiation I do not know.

Had you any other letters of Mr. Donovan's from Mrs. Clarke, or are those the very letters which she so positively stated you had taken away from her? I had some other letters from Mrs. Clarke of Mr. Donovan's, which she gave me, and I examined him as to those letters in this House.

For what purpose did Mrs. Clarke give you those letters? I really do not know for what purpose she gave them to me; I asked her to give them me, and I examined him upon them in this House.

Have you never asked Mrs. Clarke what she meant by that expression in her letter? No, I do not think I did; but I never did have any answer to it, if I had; I remember the expression striking me when I heard it read.

When Mrs. Clarke delivered these letters to you, did she mention any thing about any negotiation as affecting one or more Deaneries? I never heard of any negotiation about any Deanery, except what these letters contain.

Mrs. MARY ANN CLARKE was called in, and a letter from Mr. Elderton to his Royal Highness the Duke of York being shewn to the witness, she was examined, as follows:

Do you recollect that that was one of the letters that you delivered to Mr. Nicholls to be burned? Yes, they were all delivered to be burnt.

Do you recollect that was one of them? I cannot recollect that that was one of them; except what I burned myself, I gave the rest down to be burned, and they positively assured me they were burned.

Do you remember how that letter came into your possession? I suppose I may be allowed to read it before I give my opinion.

[The witness read the letter.]

To whom is that letter addressed? It is addressed to his Royal Highness the Duke of York.

How came that letter into your possession? I had it to shew the Duke of York, I suppose, as I had many other letters; and after he read it, it was left in my possession. This man was arrested after he had his appointment, and I had solicited for leave for him.

Then I understand you to say, that that letter was addressed to you; by whom was it addressed to you? By Mr. Elderton, or else his wife; by Mr. Elderton, addressed to me, to deliver to the Duke.

Then I understand you to say, that the letter was inclosed to you in another by Mr. Elderton; is that so? Yes.

And that in consequence of your receiving it, you delivered it to his Royal Highness the Duke of York? I am positive that I shewed it to him, to let him know that the man was grateful.

Did the Duke of York return it to you? After he had read letters, they used to be left upon the table, and I ought to have destroyed them.

Did not you understand that Sam. Carter was a natural son of Cap-

tain Sutton? No, I did not; people have said so, but he told me to the contrary himself.

Did not Captain Sutton take care of his education? Captain Sutton always had the boy about him; he had several, and Sam was one; he had been very strongly recommended, I believe, by Mrs. Fitzherbert, but they denied that at one time.

Did Captain Sutton educate the boy? He was not well educated till he came to me; he used to go to school, while he was in my service, every leisure hour.

Do not you know that Captain Sutton took care of his education? I know that he took some pains to instruct him in his leisure time; he was a very good boy.

Do you know what regiment Captain Sutton was in? He formerly was a lieutenant in the grenadiers; I believe he was a volunteer where he lost his leg.

You are not certain what regiment he was in? No; he was Deputy Fire-master at Woolwich, and had been an esteemed friend of the Prince of Wales and of the Duke of York for twelve years, but nearly died for want, except through me.

Did you consider Samuel Carter in a light above the rest of your servants? Yes, I did, for he was very faithful to me.

In what year did Mr. Elderton get the paymastership of the dragoons, that you spoke of? I cannot tell, but it was before General Simcoe died.

You do not remember the year at all? No, I do not.

During your residence in Gloucester-place, did you ever make any return of the Income Tax? No, I believe I did not.

Were you ever assessed either for your horses, carriages, or men servants? Yes, I was.

Then you recollect the number? I used to forget the greater number of them when they were put down, conceiving they had been paid for before through the Duke, or otherwise.

Look at that letter; [the letter to Mr. Donovan, of the 28th of January] that letter speaks of delivering some letters to Mr. Wardle, in order to facilitate some negotiation? I sent that letter to Mr. Donovan.

Did you give these letters to Mr. Wardle, in order to facilitate any negotiation? Yes; not the letters that Colonel Wardle ran away with, but letters of Field officers to recommend two or three lieutenants to companies, they were to give more than the regulation, three or four hundred pounds; I understood from Mr. Donovan that Greenwood was to have some part, Froome another, himself a share, and me; these young men were to pay, I think, four hundred guineas over the regulation, and that it was the last job Greenwood was to give Froome, that it was to complete a very old promise of the Duke of York; Mr. Donovan told me he must have the recommendation of a member of parliament or a general officer, to cover himself.

If you refer to a passage in your letter, it will appear that the letters you allude to were, one in which Mr. Donovan speaks of the Queen, and in the other of two Deaneries? Those were the letters Colonel Wardle took away, and which I told him were in his possession; that letter I think mentions as far as that.

[The passage in the letter was read.]

I had not given him those letters, he took them, and what I gave

Colonel Wardle to facilitate was the other three, the lieutenants for the companies, and he has two or three of them now, and General Clavering the other; and when I represented one of the young men as Mr. Sumner's nephew or cousin, I believed it, because Mr. Donovan had told me so, and declared it in every way possible.

How could the delivery of any letters whatever, to Mr. Wardle, facilitate any negotiation? I thought that they might, because he told me that he could do it by men that were not in the opposition, because I knew that a man on that side would not do to recommend to the Duke of York any military man.

Who told you so? Colonel Wardle.

What sort of negotiations did you think the delivery of these letters might facilitate? To get a letter of recommendation for the young men, the same sort of recommendation as general Clavering was to give me for Sumner.

You have stated, that the paymastership procured for Elderton was previous to the death of General Simcoe; what circumstance makes you say it must have been previous to the death of General Simcoe? I believe it was General Simcoe's regiment; I know he had been applied to on the subject.

Are you quite positive that these letters spoken of, are the letters Mr. Wardle ran away with? Yes.

Did the Duke of York ever tell you at any time, that he had been informed by any person of your having received money by getting appointments in the army? No, no one dare tell him so.

Did the Duke of York ever inform you by what means the commissions you state to have been so irregularly obtained, were made to appear regular in the books of the office? No, he did not state to me that circumstance, only that he would take proper care and have them all right, and the subjects he always thought were proper when they were proposed.

GWYLLYM LLOYD-WARDLE, Esq. attending in his place, made the following statement:

I wish to say, that I am now aware what Mrs. Clarke means by her negotiation: the letters that I before alluded to her having received from Mr. Donovan, and my having examined him upon them in this House, were sent to her by Mr. Donovan, as I understood, for the purpose of her getting them signed by a general officer, or a member of parliament; she stated having sent one of them to General Clavering to be signed; the other three or four, I forget which it was, I got from her, she gave them to me; I remember her stating at the time, that if I could get a member of parliament to sign them for her, it would be just what Mr. Donovan wanted; I said my friends were in opposition, and opposition men would not do; I kept the letters ever since, and till this moment never could make out what she meant by the term negotiation.

Have you any objection to deliver in those letters, from which you examined Mr. Donovan at the table of this House? They are all on the table of the House.

Are those letters on the table of the House which Mrs. Clarke wished you to get a member of parliament to sign? No, I think not.

Are there any letters on the table of the House which Mrs. Clarke gave to you, to procure the signature of a member of parliament? I

thought they had been given in, but if they are not, I certainly will lay them on the table.

Have you any objection to lay on the table every letter which you got, either by violence or otherwise, from Mrs Clarke? I have no objection to lay upon the table the letters in question respecting those officers who were to have been so recommended, and all the letters that I had regard to in the statement I made to the House.

In giving this answer Mr. Wardle was called to order, by Sir John Sebright, in consequence of Lord Folkestone's whispering something in the ear of the honourable member.

Mr. *Whitbread* rose and observed with much warmth, that his honourable friend (Mr. Wardle) was in perfect order, that no irregularity whatever was committed, for it was perfectly consistent with the rule of parliamentary evidence, for one member to make communications to another in course of examination.

Lord Folkestone declared, that what he communicated to the hon. member was perfectly innocent; and that moreover that his hon. friend had finished his reply before he made the communications.

Mr. *Whitbread* contended that it was neither indecorous nor inconsistent with parliamentary rules for members to make communications to such as were close to each other.

The *Chancellor of the Exchequer* believed it was the general feeling of the Committee, that no individual was at liberty to suggest any answer whatever to any interrogatory that was put in the nature of evidence to another member. He conceived that no member in the Committee had any superior advantages in this respect over any witness who gave evidence at the bar of the House. Surely it would never be maintained, that a witness placed in that situation, and labouring under any difficulty or embarrassment respecting the answer to be made, ought to receive any assistance. Neither did he apprehend that any member of Parliament was entitled to receive any suggestion from another, when he was called upon in his place to give his evidence on any question.

Mr. *Windham* knew of no principle recognized by parliamentary practice, by which a member was restrained from both giving and receiving communications and information from another during the discussion of any question. On this ground he perfectly justified the conduct of the noble lord, and especially as he afterwards declared his communication to be perfectly innocent; he, therefore,

thought the hon. baronet was premature in calling the hon. gentleman to order.

Mr. Canning was proceeding to animadvert with a considerable degree of warmth on the observations which an hon. member opposite to him (*Mr. Whitbread*) had made; relative to the prerogative which a member of Parliament had over any other witness giving his evidence, when the right hon. gentleman was called to order.

Mr. Whitbread repeated and explained his former observations with respect to the right which every member in the House has of communicating information to another. He did say what the right hon. Secretary stated, that a member has a right to derive any benefit from the suggestions of another when examined in evidence during the pending of a question, but that question being answered, he was no longer restricted.

Mr. Canning confessed he had misunderstood the meaning of the hon. member, for he at first did conceive the hon. gentleman made an essential difference between a member of Parliament in giving his testimony, and an ordinary witness at the bar; and he was the more satisfied in this case, because the noble lord had declared, that what he communicated was perfectly innocent.

Mr. Whitbread protested that he never did lay down such a preposterous doctrine.

Have you any objection to lay on the table every letter which you got, either by violence or otherwise, from Mrs. Clarke? I wish the answer I have given to be repeated.

Are there any letters in your possession, relative to the inquiry before the House, as to the Duke of York's conduct, which you have taken from Mrs. Clarke, or which she has given to you, which you object to lay before the House? I know of none such, I have no information which with propriety can be laid before this Committee, which I would withhold from them.

Are the letters alluded to in the letter of Mrs. Clarke, at present on the table of the House? No, they are not.

When did you receive the letters from Mrs. Clarke, which she mentions, in her letter of the 28th of January, to have been delivered to you? I have no memorandum, I cannot speak to the time.

CHARLES GREENWOOD, Esq. was called in and examined by the Committee, as follows:

Is Mr. Froome now in your office? No.

Did not Mr. Froome succeed to the situation of one of your clerks, that has lately left you? No.

Did not Mr. Froome come to town for the purpose of supplying the

place of that clerk? Mr. Froome came to town to settle some old accounts of mine as Treasurer to the Royal Military College, and not at all to take the place of that clerk.

Has he settled those accounts, and if so when did he leave you? He is settling them now.

Where does he transact the business? Very near my office at Charing-cross.

Are you agent to the 22d regiment of dragoons? No.

Or ever was since it was raised? I think not; but I cannot positively answer to that fact.

Do you recollect any difference between you and the Duke of York, wherein the Duke of York applied to you to appoint a paymaster to that regiment? Certainly not.

Is it within your power or that of any agent to appoint a paymaster to any regiment? The power rests in the Colonel to recommend to the Secretary at War, who makes the necessary inquiries as to the securities, and then makes out the Appointment for the Commander in Chief to lay before his Majesty.

In fact the Commander in Chief can have nothing in the world to do with it, more than to lay it before his Majesty? I never understood that he had.

Do you know Mrs. Clarke? I do not know her by sight.

Did you ever write to her? I recollect one note I did write to her.

Do you know a Mr. Elderton? I did know him.

No disagreement ever happened between you and the Duke of York, respecting appointing Mr. Elderton a paymaster? No, certainly not.

Did the Duke of York ever apply to you to appoint him? Never; the Duke of York mentioned him to me as a man that would call upon me about a paymastership, and said that I might make inquiries about him, but never recommended him.

What was the occasion of that note which you mention having written to Mrs. Clarke? It was in answer to a note she wrote me, to desire my interference with his Royal Highness about a brother, I think he was, of her's; she called him Captain Thompson, that had been in the cavalry.

Do you recollect the date of that note? It was not long ago; I do not recollect the time at all; I should think within a month or six weeks.

Do you recollect, either in that note or by message, stating to Mrs. Clarke, that you were sorry she had got acquainted with Mr. Finerty? Never.

Did you ever send any message to Mrs. Clarke by Mr. Taylor of Bond-street? Never.

How long was Mr. Froome in your office before the first time he and you parted? I really cannot recollect; but he has left my office for, I should suppose, four or five years, I cannot recollect particularly, it was at the time I discovered he was trading in commissions that I discharged him.

Is not Mr. Froome on the half-pay? I believe he is.

Is he a captain on half-pay? No, I think only a lieutenant.

How did you send that note which you wrote to Mrs. Clarke? I sent it by Mr. Taylor, I think.

Mr. Taylor the shoemaker? Yes.

Are you acquainted with Mrs. Sinclair Sutherland? I knew her some years ago.

How many years ago? I should think six or seven years ago; I have seen her since.

Have you seen her often since? No.

Have you seen her lately? No.

How lately have you seen her? I do not think I have seen Mrs. Sinclair these two years.

On what occasion did you last see her? Mine was a visit of civility, I believe, I had no particular object in it.

Did you call upon her? Yes.

Have you kept up your acquaintance with her from the first origin of that acquaintance? I have very little acquaintance with Mrs. Sinclair; I do not suppose I ever saw Mrs. Sinclair a dozen times in my life.

What led to that acquaintance? I believe that the first acquaintance I had with Mrs. Sinclair, was from hearing a friend of mine speak of her.

Did you become acquainted with her through any intimacy between the Duke of York and her? I certainly was acquainted with her more from that circumstance.

Then you are aware she was intimate with the Duke of York? I am aware that the Duke of York knew her; I am not at all aware that the Duke of York was intimate with her.

Do you know of any connection ever subsisting between the Duke of York and Mrs. Sutherland? I have heard that there was.

Has any fact ever come to your knowledge which enables you to state, of your own knowledge, that such a connection ever had existed? I have heard Mrs. Sinclair herself say so.

Did you ever hear Mrs. Sinclair state that she was with child by the Duke of York? Yes.

Did you ever know of a house being hired at Hamburgh for Mrs. Sutherland to lie in? No.

Do you know of any measures that were taken to hire a house for that purpose? No.

Can you to your own knowledge speak to Mrs. Sinclair having got a troop from the Duke of York, for a friend of her's? Certainly not.

Did you ever correspond with her on the subject of a troop that she had applied for? No I think not, it is so long since; to the best of my knowledge not.

Can you speak positively to that fact? I can speak positively to never having had any conversation with the Duke of York.

Do you recollect writing to Mrs. Sinclair upon any military matters? I recollect she wrote to me relative to a son of the late General Deb-bridge, upon the subject of promotion, which I did not apply for; and I think she wrote to me about obtaining leave of absence for him, which, being in the natural course of my business, I think I did obtain for her; but I cannot speak with certainty.

State whether of your own knowledge Mrs. Sinclair was given to understand that that officer was promoted through her application? Certainly not.

You have stated, that you sent a note to Mrs. Clarke by Mr. Taylor; who is Mr. Taylor? A shoemaker, in Bond-street.

How happened it that you employed such a messenger? She sent him to me.

Had you ever any other communication with Mr. Taylor? I have seen Mr. Taylor several times on other business.

Is Mr. Taylor your shoemaker? No.

Have you ever had any correspondence by letter with Mr. Taylor? No.

You have stated in the early part of your examination, that the Commander in Chief told you that Mr. Elderton would probably call respecting a paymastership, and requested you to make inquiries; did you make any inquiries? Yes.

What was the result of those inquiries, and was he appointed to the paymastership? The result of those inquiries was, that I put him down in my list as a candidate for a paymastership.

Was he appointed to a paymastership? Upon a vacancy happening in Sir Robert Abercrombie's regiment, thinking him a very proper man for the appointment, I wrote to Sir Robert Abercrombie about him, and he recommended him to the Secretary at War. May I beg leave to correct an answer I have just given, respecting my correspondence with Mr. Taylor: There were two or three questions I thought it necessary to put to him: knowing he had paid some money on the Duke of York's account for Mrs. Clarke, I put three questions to him, which he answered satisfactorily; if that is to be called a correspondence, I have had correspondence with him.

Do you know of any large sum of money being paid by his Royal Highness the Duke of York to Mrs. Clarke, during her residence in Gloucester-place? No large sums ever went through my hands to Mrs. Clarke, nor any sum whatever.

You admit that you have had some correspondence with Mr. Taylor, when did that correspondence take place? A few years ago.

You do not recollect at any other time having had any correspondence with Mr. Taylor? No, certainly not.

Did you send an answer to Mrs. Clarke by Mr. Taylor, in consequence of the letter having been brought by him? Certainly.

You stated that you recommended Mr. Elderton to Sir Robert Abercrombie for paymaster; had you any knowledge of Mr. Elderton previous to the Duke of York's mentioning him to you? I believe he had applied to my office for a clerkship, but I am not quite clear as to that point; I made several inquiries in consequence of his Royal Highness's recommendation.

Were the inquiries which you made satisfactory? they were satisfactory in the first instance, but sometime afterwards, on further inquiry, I was by no means satisfied, and I wrote to Sir Robert Abercrombie to that effect.

What inquiries did you make that caused dissatisfaction? I made some inquiries, besides a representation I had from Bristol, where Mr. Elderton had lived, of some improper conduct there.

What was the consequence of these discoveries you made respecting Mr. Elderton? Representing the same to Sir Robert Abercrombie, in order to stop the recommendation.

What was the effect of that communication? It was delayed for a time; afterwards to the best of my recollection, Mr. Elderton wrote himself, or got some friend to apply to Sir Robert Abercrombie and

Sir Robert Abercrombie afterwards recommended him to the Secretary at War

Do you know what those recommendations were, or from whom they came? I really do not.

Were the objections removed solely by the recommendation of Sir Robert Abercrombie? I believe entirely.

After those objections had been made, did any conversation take place between his Royal Highness the Duke of York and yourself upon the subject? Certainly none.

How do you know that any subsequent recommendation was made to Sir Robert Abercrombie? I think I have letters from Sir Robert Abercrombie to prove that.

[The witness was directed to withdraw.]

COLONEL GORDON was called in, and examined by the Committee, as follows:

Have you brought with you the documents respecting the proposed exchange between Colonel Knight and Colonel Pleydell? Yes, I have them in my hand.

[Colonel Gordon delivered in several papers, which were read:—Letter from Messrs. Collyer.—Answer to the above.—Letter from Colonel Knight, dated June 19th, 1805.—Letter from Colonel Gordon to Colonel Knight.]

"C. L.

"*The Commander in Chief cannot accede to the request of these officers. Lieutenant Colonel Pleydell must remain in the regiment to which he has been posted.*"

"Messrs. Collyer have the honour of transmitting Colonel Gordon the memorials of Majors Knight and Pleydell to exchange."

"*Park-place, St. James's, 27th May, 1805.*"

(Copy.)

"Gentlemen,

"*Horse-Guards, 28th May, 1805.*"

"Having laid before the Commander in Chief your note of the 27th instant, I am directed to acquaint you in reply, that his Royal Highness cannot accede to the exchange therein proposed, between Major Knight of the 5th Dragoon Guards, and Lieutenant Colonel Pleydell of the 59th regiment of foot; and Lieutenant-Colonel Pleydell must remain with the corps to which he has been posted.

I am, Sir,

(Signed) "J. W. GORDON."

"*The inclosures in your letter are herewith returned.*"

"Messrs. Collyer.

"*H. R. H. has no objection to his receiving a difference, and when an eligible successor can be recommended, H. R. H. will take it into consideration.*"

"*No. 35, Maddox-st. Hanover Square, June 19, 1805.*"

"Sir,

"His Royal Highness the Commander in Chief not having acceded to my exchanging with Lieutenant-colonel Pleydell, I fear my motives for wishing to return to the infantry may have been misrepresented to his Royal Highness.

"I therefore take the liberty of stating them to you, and request the favour of you to submit them to the consideration of his Royal Highness."

"I am desirous of returning to the infantry, with a view to receive back the difference, to enable me to arrange some pecuniary concerns which press upon me at this moment; and in case his Royal Highness should be graciously pleased to acquiesce, I intend to solicit the further indulgence of a temporary retirement upon half-pay for the recovery of my health, which is much impaired by a service of 20 years in the West Indies, in Holland, in Egypt, and elsewhere; and as I do not mean to solicit H. R. H.'s permission to receive the difference between full and half-pay, I flatter myself his Royal Highness, when my health is re-established, will consider my past services, and allow me to return to a service, which I never can quit for a moment without the deepest regret."

"And in case his Royal Highness should have no person in view to succeed me in the 5th Dragoon Guards, I humbly beg leave to submit the name of Brevet Lieutenant-Colonel Brooke of the 56th regiment (an old cavalry officer) who has written to me on the subject."

"I have the honour to subscribe myself,

"Sir, Your obedient, humble Servant,

"H. R. KNIGHT,

"Major 5th Dragoon Guards,
and Bt. Lieut-colonel."

"To Colonel Gordon, &c. &c. &c."

"Sir,

"Horse Guards, 21st June, 1805."

"Having laid before the Commander in Chief your letter of the 19th instant, I am directed to acquaint you, that his Royal Highness has no objection to your exchanging to the infantry, receiving the difference; and when an eligible successor can be recommended, your request will be taken into consideration."

"I have, &c."

(Signed) "J. W. GORDON."

"Bt. Lieut-col. Knight, 5 D. Gds."

"35, Maddox-street, Hanover-square."

Are you acquainted with Major Turner? I was acquainted with him. What was the period of your acquaintance with him? I think it was in the year 1803.

When was the last time that you saw him previous to his tendering his resignation? I cannot recollect the precise day, but it was a very short time before he gave it in, he called upon me, and stated his intention of so doing.

Did he solicit any other situation? No, I cannot recollect that he did.

Did he request to be put upon the staff of the army serving in Spain? I do not recollect that he did; it is very possible that he might, but I do not recollect that he did.

Did he state to you the reasons for which he intended to resign? Yes, he certainly did.

What were those reasons? Major Turner called upon me, and told me, it was his intention to give in his resignation, and retire from the army; I expressed some surprise at this, having had some previous acquaintance with him, and told him, I think, that he had better consider of it before he took so decided a step. I think Major Turner told me, he had got into some unfortunate scrape with a woman, and it was necessary for him to quit the service; the exact words I do not recollect,

but that was the tenor of the conversation that passed between us. There was very little more or less.

Did he state the nature of the scrape? No, he certainly did not; but I have some recollection, that he was about to do it, and that I stopped him, as my custom is, not wishing to enter into the private affairs of officers more than is necessary.

Did he state the name of the lady? I am pretty confident he did not.

When the application was made for the exchange between Colonel Knight and Colonel Pleydell, were the usual inquiries made, and were they acted upon? This is rather an embarrassing question. I should answer it in this way; that the Commander in Chief did not think Colonel Pleydell a proper officer to be placed at the head of a regiment of cavalry.

Is it your belief that, upon a complaint made from any quarter against any officer who was soliciting either for exchange or resignation, that complaint being, that the officer had behaved dishonourably by a lady, that would lead to an inquiry on the part of the Commander in Chief? That would depend very much upon the mode in which the complaint was made; the complaint in question stated, that the general knew all about it; inquiry was therefore made of the general, before any decision was given upon it.

Did it ever come within your knowledge that any resignation had been stopped, or any proceeding taken at the Commander in Chief's office in consequence of an anonymous letter? I cannot exactly say that a resignation had been stopped; but this I can say, that all anonymous letters are invariably attended to.

Is it not the invariable practice of the Commander in Chief to forward all anonymous letters, conveying complaints of any circumstances attached to the army, to the generals commanding the districts, or the officers commanding regiments, concerning which complaints may be conveyed in those anonymous letters? I have already said that anonymous letters are always attended to, and are sent for inquiry in their proper course; they happen almost daily.

[The witness was directed to withdraw.]

General ROCHFORD was called in, and examined by the Committee, as follows:

Do you recollect a person of the name of Samuel Carter, that lived with Captain Sutton? I do.

Do you happen to know whether Samuel Carter was reputed to be the natural son of Captain Sutton? I always understood that he was.

Did he live with him as such? He lived with him as such, as it appeared to me.

You knew Captain Sutton? Very well.

He brought him up as his son? Yes, he did to the best of my knowledge.

Did he give him a good education? I believe the best education he could; he was very capable of educating him himself, and I believe he took a great deal of pains with the boy.

Was he in the habit of dining at Captain Sutton's table? I cannot tell. I never dined with Captain Sutton at his house.

When did Captain Sutton die? I cannot exactly say; two or three years ago, I believe.

[The Witness was directed to withdraw.]

Lord Folkestone stated, that *Duff*, one of the parties whom he had that evening mentioned to the House, as having papers in his possession, which came into his hands through the medium of one *Kennett*, in the city, had, since he addressed the House, called him into the lobby, and informed him, that he was willing to deliver up the papers. He had seen some of them, which he had communicated to the right honourable gentleman opposite; (the Chancellor of the Exchequer) who concurred with him in thinking they were worthy the observation of the House. The person who had them, having mentioned it would be inconvenient to him to attend that evening, he had dispensed with his further attendance. He had accordingly promised to bring him the papers to-morrow morning, and he would call the attention of the Committee to them at their next meeting.

The Chancellor of the Exchequer said, he apprehended the Committee would proceed to-morrow (being then one o'clock in the morning), and they should be able to finish the business.

The House being resumed, the Chairman reported progress, and asked leave to sit again to-morrow, which was ordered.

HOUSE OF LORDS.

THURSDAY, FEB. 16.

Lord Darnley called their lordships' attention to the subject of the late campaign in Spain and Portugal. Impressed as he was, with a deep sense of the misconduct of ministers, and recollecting that they professed a disposition to put the House in possession of every information that might be requisite to enable parliament and the country to decide upon their measures, he felt it his duty to move for several returns, calculated to attain that object. He understood that the Spanish Juntas particularly solicited the assistance of a respectable body of cavalry. This was precisely that description of force which we could have best spared, as our cavalry establishment greatly exceeded what could at any time be requisite for the purposes of internal defence. But among the various features of the misconduct of ministers, one of the most striking was their tardiness in complying with the request of the Spaniards, and the very limited extent to which it

was at last gratified. The official dispatches bore testimony to the injurious consequences of a deficiency of cavalry in the battle of Vimiera. He concluded with moving for a return of the effective cavalry in Great Britain on the 1st of July 1808, a return of the cavalry engaged in the battle of Vimiera, and a return of the total of the British Cavalry in Spain, at the moment of the junction of the several divisions of the troops under Sir John Moore.

Lord Liverpool assured the noble lord and the House, that ministers felt not the least wish to oppose the motion just made. On the contrary, it had their hearty concurrence. He only wished to amend the motion, so as to include a return of the various arrivals of cavalry in Portugal subsequent to the battle of Vimiera, and up to the time of Sir John Moore's march into Spain. With the view of still further promoting the purpose of fair and impartial inquiry into the conduct of ministers, he should move for additional papers as soon as the noble lord's motion was disposed of.

Lord Darnley had no objection to the amendment proposed by the noble secretary, provided the date of the various arrivals of cavalry in Portugal were added. This suggestion being acceded to, the motion was put and agreed to.

The Earl of Liverpool then said, that in order to explain, in the most ample manner, the line of conduct adopted by ministers in reference to Spain and Portugal, he felt it necessary to move for copies of the instructions sent to our commanders in those countries, and the communications from them to ministers, with the exception of such parts as it might be injurious to the public service to publish. He wished noble lords to understand, that the passages he alluded to were such as related to services still depending. As to services completed, there was no intention of withholding any documents that, in the slightest degree, bore upon the discussion of their merits. All that he requested was, that nothing should be done to prejudge the question of what had been the conduct of ministers; and that whatever proceeding was adopted after the papers were laid on the table should be such as would afford them a fair opportunity of explaining every part of their conduct; and this course being pursued, they felt not the least apprehension in submitting to the candid decision of the House. The instructions to Sir Thomas Dyer and his

communications to Sir Arthur Wellesley, would, he thought, be found in the papers relative to the convention of Cintra already moved for; if not, they might be called for on a future day. In answer to a question across the table from Lord Darnley, his lordship said, that it was an admitted fact, that the Junta of Oviedo had made an application of the nature previously alluded to by the noble lord, and that Sir Thomas Dyer communicated the same to Sir Arthur Wellesley.

The Duke of Norfolk wished to know whether measures had been taken to prevent the French and Spanish fleets in Cadiz harbour from falling into the hands of the enemy. We had now here an ambassador from Spain, who held a high official situation in that country: and one of the most important points to be arranged with him, was, in his conception, that of securing those fleets, by stipulating that they should be sent to Buenos Ayres, Minorca, or any other place of safety. When he looked to the rapidity of operation that characterized the man who was at the head of the French armies, he was not without apprehensions on this subject. His grace further expressed his hopes that ministers, whatever assistance they might continue to give the Spaniards, in money and supplies, would not rashly put to hazard any considerable portion of our military force.

No answer was given to the noble duke, and the motion of Lord Liverpool was put and agreed to.

Adjourned.

HOUSE OF COMMONS.

THURSDAY, FEB. 16.

Sir Arthur Wellesley moved the order of the day for the second reading of the Irish militia enlistment bill.

Colonel Odel rose to express his wish that a clause should be inserted in this bill, for allowing the same bounty to recruits for the militia in Ireland as in England. Volunteers were, he said, annually allowed to be transferred from the Irish militia regiments to the line; and the consequence was, those regiments were very defective of their original force, and the bounty of recruits considerably raised. A penalty of 30*l.* per man was also imposed upon every parish defective in raising the quota by a given day;

and he feared that if the same bounty were not allowed to the parishes in Ireland as to those in England, to aid in raising the men, much discontent would arise.

Sir A. Wellesley could not agree with the honourable gentleman, that it was necessary to give so high a bounty as ten guineas to recruits in Ireland, where they were to be had on much cheaper terms, and where the population was on a very different footing from that of England. The honourable gentleman, besides, did not seem to bear in his recollection, that the bounty of ten guineas was not given in England in aid of the general recruiting of the militia regiments, but to the balloted men, to enable them to procure substitutes: and that in Ireland none of the casualties in the militia regiments were filled up by ballot, neither did the expence of raising recruits to fill up the place of the volunteers in Ireland fall on the country, but was paid out of the Treasury. In another bill which he meant to bring forward on this subject, it was his intention to insert a clause for enabling the lord lieutenant of Ireland to advance from the Treasury, at his discretion, rates of bounty as high as ten guineas, if necessary, in aid of the balloted men to find substitutes.

On the suggestion of Colonel C. H. Hutchinson, the Chancellor of the Exchequer agreed to postpone till Monday next, the second reading of the corn distillery prohibition bill.

THE COMMANDER IN CHIEF.

Lord Folkestone moved, that Mr. Chapman first clerk in Lord Castlereagh's office, do attend the committee; and that the Right Honourable Charles Long be requested to attend in his place at the House to day.—Ordered.

Lord Folkestone moved the order of the day for the House to resolve into a Committee on the inquiry respecting the conduct of his Royal Highness the Commander in Chief.

The House resolved accordingly,

Lord H. Petty said, that at the request of a very respectable solicitor resident in Lincoln's-inn-fields, named Tyndale, he felt it necessary to state, that he was not the same who had been examined at the bar in the course of this inquiry, and he was apprehensive that without such explanation his name might be confounded with that of a man with whom he had no interference nor connection.

whatever, and that he was ready and desirous to verify the fact at the bar.

The Chancellor of the Exchequer said, he saw no danger of mistaking the gentleman for the other, who stated himself to live at Chelsea.

Mr. Banks said, he understood the Tyndale who had been examined as a witness, was not now forthcoming; but afterwards added, he was given to understand he had this day attended as a witness before the select Committee on abuses in East India appointments.

Lord Folkestone now rose, and said, that, before he proceeded to call in the witnesses, it might be deemed convenient to put the Committee in possession of the particular subject to which he meant to examine the first witness, Mr. Duff, the solicitor, who attended in consequence of the order of the House yesterday, with some papers he had to produce. Those papers, he understood, came into the hands of Mr. Duff, in the year 1804, in consequence of his being solicitor to the statute of bankruptcy, against a man named Robert Kennett, who had formerly been an upholsterer in Bond-street, and afterwards lived in Lincoln's-inn-fields, in the profession of a curer of the tooth-ach. A proposition was set on foot by his Royal Highness the Duke of York to raise for his use the sum of 70,000*l.* or 80,000*l.* by way of annuity, and this Mr. Kennett undertook to forward the views of his Royal Highness, in consideration of provision being made for him by a respectable situation under government; upon the success of his undertaking, was to depend the success of the negotiation for the loan. Accordingly application was made by his Royal Highness to Mr. Pitt, to Earl Camden, and others, to procure Mr. Kennett a situation at home or abroad, and particularly one which happened just then to be vacant in the West Indies. A secretary to the Duke of York acknowledged the receipt of Mr. Kennett's letter, proposing the terms of this negotiation, the receipt of which he acknowledges in another letter, but in this he expressed no disapprobation of Mr. Kennett's proposal; and it would appear upon the face of the letter, that the success of the Duke of York, in obtaining the situation, would depend upon the loan. He should adduce the letters before the Committee, and particularly that of Colonel Taylor, to which he alluded. He then moved that Mr. Duff be called to the bar.

The Chancellor of the Exchequer rose. He did not mean, he said, to oppose the motion of the noble lord; but at the same time it did not appear to him that the evidence, or the papers now proposed to be produced, had any connexion with the subject, respecting which the Committee were instructed to inquire, namely, the conduct of his Royal Highness in his capacity of Commander in Chief. They had no relevancy whatever to the manoeuvres of Mrs. Clarke, or the stories with them connected, nor any relation to military business. However, he had no wish that any paper should be withheld that in any degree might throw light upon the general cause; and he therefore abstained from any resistance of the noble lord's motion, rather from a wish not to be thought desirous of stifling any information respecting the whole subject in agitation, than from any relevancy the motion had to the question before the Committee.

Lord Falkstone could not exactly understand the right honourable gentleman's meaning by his phrase—the manoeuvres of Mrs. Clarke; but if the suggestion he (the noble lord) had offered to the House last night, had been adopted, namely, an additional instruction to the Committee to enlarge their inquiry into the general conduct of the Duke of York in other respects, the papers now moved for would be highly relevant.

Mr. ARCHIBALD DUFF was called in and examined by the Committee as follows:

What are you? A Solicitor.

Do you know any thing of Robert Kennett? I am a solicitor to the commission of bankruptcy against him.

At what time did that bankruptcy take place? Some time in the year 1803.

In consequence of being solicitor to that commission of bankruptcy, have certain papers relative to this inquiry come into your possession? In consequence of the bankrupt's papers having been seized by the messenger under the commission, I have become possessed of certain letters, which I have now in my pocket.

Produce those papers. [*The witness produced them.*]

When did those papers come into your possession? I cannot ascertain the time; sometime, I think, about the latter end of 1803, or sometime in 1806.

Have they been in your possession ever since? They have.

Are those all the papers in your possession relative to this business? They are all the papers which I have been able to find among the bankrupt's papers, in which, in any manner, the name of his Royal Highness the Duke of York is mentioned.

Did you at any time state, that you believed there was a paper in

your possession when you could not readily put your hand upon? I stated last night to Lord Folkestone, while I was in attendance at this House, that I believed there was a paper which I could not readily put my hand upon; but to-day I communicated to Lord Folkestone that I had every reason to believe that that paper was not in my possession, and that the recollection of that paper must have arisen from one of the bankrupt's letters, which is now in the clerk's hand.

Do you mean by not being in your possession, that that paper did not exist, that there was no such paper? I stated to Lord Folkestone then, as I now do, that I believed there was no such paper.

Are you acquainted with the hand-writing of Kennett? Perfectly.

Well. Look at those papers, and see whether any of them are the hand-writing of the bankrupt Kennett? No. 2 is his hand-writing.

Look at No. 12; is that the hand-writing of Kennett? No. 12 contains two papers; one is Kennett's hand-writing, and the other is not.

What are those papers? They appear to be respecting appointments at Surinam, which have resulted from the surrender of that colony.

Is that the paper which is Kennett's hand-writing? Yes.

Do you know whose hand-writing the other is? I do not.

Is No. 14 in the hand-writing of Kennett? It is.

Is No. 17 in the hand-writing of Kennett? No. 17 contains two papers; one is not in the hand-writing of Kennett, the other is.

What is the paper which is in the hand-writing of Kennett? That which is in the hand-writing of Kennett appears to be an application from him to Mr. Greenwood, for Mr. Adam's address in Scotland.

Do you know whose hand-writing the other paper is? No.

Is No. 18 the hand-writing of Kennett? Yes, it is.

You have stated, that there was a paper which you have not in your possession, and which you believe not to exist; to your knowledge, was such a paper ever in existence? I was led to believe that such a paper had existed, from a distant recollection of having read the paper sometime ago; but upon referring to the papers again to-day, and the place in which I found them, namely, the bankrupt's desk, I am satisfied that no such paper ever was in my possession, and that the only circumstance which could have led me to that belief, was the bankrupt's letter, No. 18, and so I stated to Lord Folkestone to-day.

Is the Committee to understand that you believe that paper never to have been in existence? I believe it never did exist.

What business was Kennett? Kennett was formerly an upholsterer in Bond-street; he was, at the time when the commission was issued against him, living in Lincoln's-inn-fields, and carried on, or pretended to carry on, the business of tooth-ach curer, curing the tooth-ach by smelling a bottle.

Did he ever obtain his certificate under that commission? Certainly not.

Did he pass his last examination under that commission? He did, after a vast number of examinations, and numerous delays.

Do you know what is become of Kennett now? I know not; I saw him about a month ago.

Do you know any thing particular that has occurred to Kennett since the commission of bankruptcy? I know what his lordship alludes to, but I wish the question was more particular, and not so general.

Did he ever stand in the pillory? He was prosecuted by order of the Lord Chancellor, at the instance of his Majesty's attorney-general, for a conspiracy to defeat that commission, and cheat his creditors; under that prosecution he was found guilty, and was put into the pillory.

Had he been a bankrupt before the bankruptcy to which commission you were solicitor? He was.

State the dates of both bankruptcies. I cannot with precision.

Can you state the date of the second bankruptcy with precision? To the best of my recollection, the 23d of April, 1803.

Can you state in what year the first bankruptcy took place? I think (but I cannot charge my memory with precision) in the month of January, 1801.

[The witness was directed to withdraw.]

EDWARD TAYLOR, Esq. a Member of the House, attending in his Place, was examined by the Committee, as follows:

Will you look at No. 3, and state whether that is Colonel Taylor's writing? Yes, it is.

Is No. 6 Colonel Taylor's hand-writing? Yes, it is.

No. 8? Yes, it is.

No. 9? Yes, it is.

No. 10? Yes, it is.

No. 13? This is not his hand-writing.

Does it purport to be? It is written in his name; but it is not his hand-writing.

No. 20? The note is; there is an inclosure in it, which is not.

Mr. ARCHIBALD DUFF was again called in, and examined by the Committee, as follows:

Whose hand-writing is No. 13? I do not know.

It is not the hand-writing of Kennett? It is not.

[The witness was directed to withdraw.]

WILLIAM ADAM, Esq. attending in his place, was examined, as follows:

Look at No. 4, is that your hand-writing? Yes.

No. 5? It is not my hand-writing; but it was written at my dictation.

No. 19? This is my hand-writing.

The Right Honourable **CHARLES LONG**, attending in his place, was examined, as follows:

Have you ever seen Mr. Adams, once private secretary to Mr. Pitt, write? I have.

Can you speak to Mr. Adam's hand-writing? I can.

Look at No. 11. That is not his hand-writing, it purports to be a copy.

Is No. 15 your hand-writing? No. 15 is my hand-writing; No. 16 I cannot speak to.

WILLIAM HUSKISSON, Esq. attending in his place, was examined by the Committee, as follows:

"Will you look at No. 21? I have frequently seen Mr. Chapman write, and, to the best of my belief, this is his hand-writing.

[The following papers were read:]

No. 2. "The principal sum of 70,000*l.* to be advanced to his Royal Highness the Duke of York, by way of annuity, (at ten per cent.) either in one or two parts, as shall be approved by his Royal Highness, in the following manner, viz.

"The said sum or sums to be charged on the Outlands, and all the adjoining estates, manors, &c.

"The purchaser to nominate any two lives (in order to save insurance).

"His Royal Highness to be at liberty to pay off the principal sum or sums any time after three years, (in the usual way) either by giving six months notice, or paying six months in advance.

"The annuity to be payable quarterly, either by an assignment of the exchequer order, or an undertaking from the trustees of the said order to pay the same."

No. 6. "Lieutenant-colonel Taylor presents his compliments to Mr. Robert Kennett, and begs to acquaint him, that his Royal Highness the Duke of York has not any objection to writing to Mr. Pitt respecting the application which Sir Horace Mann has made in his favour.

"*Outlands, Sunday, 22d July, 1804.*"

No. 3. "Lieutenant-colonel Taylor presents his compliments to Mr. Kennett, and is directed by his Royal Highness the Duke of York to request he will call upon Mr. Adam, in Lincoln's-inn-fields, upon Wednesday morning next.

"*Outlands, July 29th, 1804.*

Addressed,—"*Robert Kennett, Esq. 13, Moore-place, Lambeth.*"

No. 5. "Mr. Adam's compliments to Mr. Kennett, and means to see him on Tuesday evening, before which he cannot be in town.

"*Lincoln's-Inn, Thursday.*"

Addressed,

"*Mr. Kennett.*"

No. 4. "Mr. Adam is sorry that his business elsewhere detained him yesterday. He will be glad to see Mr. Kennett here to-day at eleven o'clock.

"*Lincoln's-Inn, Thursday Morning, 2d Aug.*"

Addressed,

"*Mr. Robert Kennett,*

"*13, Moore-place, Lambeth.*"

HENRY SWANN, Esq. a Member of the House, attending in his place, was examined as follows:

Have you ever seen Sir Horace Mann write? I have seen Sir Horace Mann write very often.

Will you look at No. 7, and state whether it is Sir Horace Mann's

writing? I will certainly admit that it very much resembles the hand-writing of the honourable Baronet; but though it does so resemble it, it is not the usual mode of that honourable Baronet's signing his name, for it is signed "H. Mann," and I very frequently correspond with him: he signs "Hor. Mann."

Do you believe that to be the hand-writing of Sir Horace Mann? It has something of the character of the hand-writing of Sir Horace Mann.

Do you or not believe that to be Sir Horace Mann's hand-writing? I certainly believe it is.

Will you look at No. 16: is that Sir Horace Mann's hand-writing? I do not think it is; I believe it is not.

[The following papers were read,]

No. 7. "I shall rejoice sincerely at your success, if it can be an object with you to obtain a situation in such a climate. The chance you mention may be more efficacious than the exertion of my interest, which I will strenuously renew if it is necessary, when I see a prospect of success.

"Yours faithfully,

"H. Mann."

"Margate, July 22d."

Addressed:

"Robert Kennett, Esq. No. 13,
Moore-place, Lambeth."

No. 8.

"Oatlands, July 18th, 1804."

Sir,

"I beg leave to acknowledge the receipt of your letter of yesterday, which I lost no time in laying before the Duke of York. I am in consequence directed to request you will have the goodness to call upon Mr. Greenwood, in Craig's-court, on Wednesday next, at twelve o'clock, his Royal Highness having desired him to communicate with you on the subject of your letter.

"I have the honour to be,

"Sir,

"Your most obedient,

"Humble Servant,

"H. TAYLOR."

No. 9. "Lieutenant-Colonel Taylor presents his compliments to Mr. Kennett, and begs to acquaint him, that, having called this morning upon Mr. Pitt's private secretary, for the answer to his Royal Highness's application in his favour, he has been promised that it will be sent in the course of the day, if possible, and he will forward it, as soon as received, to Mr. Kennett.

"Horse Guards, Thursday Morning."

Addressed:

"Robert Kennett, Esq. &c."

No. 10. "Lieutenant-Colonel Taylor presents his compliments to Mr. Kennett, and is directed by the Duke of York to transmit to him copy of a letter from Mr. Pitt's private secretary, in reply to the application which his Royal Highness made in Mr. Kennett's favour for the collectorship of the customs at Surinam, which answer his Royal

Highest regrets is not conformable to his wishes. Colonel Taylor would have sent it earlier, had he not been absent from London, when it was sent to the Horse-Guards.

"August 7th, 1804."

No. 11. "Downing Street, Friday, 3d August, 1804.

"My Dear Sir,

"I have not failed to state to Mr. Pitt the wishes of his Royal Highness the Duke of York, communicated through you, that he would nominate Mr. Kennett to the office of collector of his Majesty's customs at Surinam; and I am directed to request that you will submit to his Royal Highness, that, desirous as Mr. Pitt must at all times be to attend to his Royal Highness's commands, he is fearful that, from prior engagements, he is so circumstanced, as not to have it in his power to do so on the present occasion.

"I am, &c.

(Signed)

"W. D. ADAMS."

Addressed:

"Lieut.-Col. Taylor."

No. 12.

SURINAM.

"The following appointments have resulted from the Surrender of this Colony; viz.

"Sir C. Green, to be governor and commander in chief.

"Capt. Drummond, 2d batt. 60th regiment Brigade Major.

"Capt. Campbell, 66th regiment commander of fort Zelandria.

"Capt. Maxwell, R. N. harbour master.

"G. Chalmers, Esq. collector of the customs.

"Laur. Donovan, Esq. comptroller of ditto.

"J. Bent, Esq. army agent and contractor for prisoners.

"——Pringle, Esq. colonial secretary.

"R. Ross, Esq. private secretary.

"D. Monro, Esq. resident commissary.

"R. A. Hyndman, Esq. resident paymaster.

"Lieut. Rowan, 64th regiment aide-de-camp.

"Lieut. Imthurn, 2d battalion 60th regt. military secretary, Vendue master at a per centage, on the same footing as at Demerara."

The Right Honourable CHARLES LONG, attending in his place, was examined as follows:

Do you recollect ever writing a letter of which No. 15 purports to be a copy? I have no recollection of it; it is very likely I might have written such a letter; it does not appear to be a very accurate copy; it is dated "Bromley Park;" I never dated Bromley Park, but Bromley Hill.

[The following paper was read: No. 15, letter from Mr. Long.]

No. 15.

"Bromley Hill, Kent, Aug. 30th.

"Sir,

"I am sure Mr. Pitt would have been very happy to have attended to your request respecting Mr. Kennett, but I know, upon the application of the Duke of York, he was informed that the office of collector had been appointed to. As to the other office, having received

a letter written by the desire of H. R. H. the Duke, I made enquiry respecting it, and I do not find that there is any such office as assistant commissary and agent for prisoners, (or commissary general as it was called in the Duke's letter) to be appointed from hence; the commissary general in the W. Indies, Mr. Glassford, recommends such deputies as he finds necessary for conducting the business of his department, and they are usually appointed by the treasury in consequence. The office of agent for prisoners I conceive to be under the direction and appointment of the transport Board.

"Believe me, Sir,

"Most faithfully yours,

"C. LONG."

(To Mr. Long.) Can you state to whom the letter just read was written? It appears to be in answer to that of Sir Horace Mann's, but I cannot state whether it was so or not.

[The following papers were read.]

No. 17. "R. Kennett will be obliged to Mr. Greenwood, for Mr. Adam's address in Scotland, and if he can inform him about what time he will return.

"*Saturday Morning.*"

Address:

"W. Adam, Esq.

"Blair Adam,

"N. Britain."

No. 19.

"Blair Adam, 4th Oct. 1804, Scotland.

"Sir,

"I wrote to Mr. Greenwood, who would probably signify that I had received yours, and would go forward with the business as soon as I returned to town; I now (in case of your not being at a certainty) write to yourself, to say, that I shall desire to see you as soon as I return to town, which will be the middle or soon after the middle of this month.

"I am Sir,

"Your obedient, humble servant,

"WILLIAM ADAM."

Addressed:

"Mr. Kennett,

"13, Moore Place,

"Lambeth."

No. 20. "Lieutenant-colonel Taylor encloses, for Mr. Kennett's perusal, a letter from Mr. Chapman, and is very sorry to find from it that the situation of Vendue Master is disposed of. Mr. Chapman has been out of town, which accounts for the delay, in regard to the receipt of the information now given.

"Should Mr. K. wish to see Col. T. he will be here to-morrow between three and five o'clock.

"Horse Guards, 22d Nov. 1804."

No. 21. "(Private.)"

"Downing-street, 22d Nov. 1804.

"Dear Taylor,

"Lord Camden desires me to request you will express to the Duke

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of York his great regret, that the office of Vendue Master of Surinam was disposed of before you communicated his Royal Highness's wish in favour of Mr. Kennett.

"Believe me,
"Very sincerely your's,
"JAS. CHAPMAN."

"I should have given you an earlier answer, but have been out of town."

Addressed :
"Lt. Col. Taylor,"
in an envelope, to
"Mr. Kennett, &c. &c."

Lieutenant-colonel TAYLOR was called in, and examined by the Committee, as follows :

Look at that letter. (No. 8) Is that your hand-writing? Yes, it is.

Peruse the letter, and state to whom it was addressed. I believe to Mr. Kennett, from what I have heard of this business : there is no address.

Peruse No. 13, and state to the Committee, whether you ever wrote the letter of which that purports to be a copy? I believe I did.

Peruse No. 18, and state whether you ever received the letter of which that purports to be a copy. I think I did.

Have you the letter which you received, of which you believe that to be a copy? I have not.

Do you know what is become of it? I believe I destroyed it.

It appears as if this was a draft of two distinct letters ; do you mean that any letter you have received contained both those letters, or only one of them? I can only speak from memory ; I think the transaction was in 1804 ; it is impossible for me to charge my memory accurately respecting it ; I have kept no papers upon the subject.

Which of the two letters do you think you received a copy of? There is one of the letters I can read with difficulty ; it is erased, and there are pencil-marks in it ; I believe them to be two distinct letters.

Did you receive both? I believe I did, I can only speak from memory.

You destroyed both that you received? I am confident I destroyed all I received.

One of these appears to have part written in pencil and part in ink ; can you charge your memory whether that which you received had that written in pencil or that written in ink? I cannot charge my memory.

[The following papers were read:—No. 13. Note from Colonel Taylor to Mr. Kennett.—No. 18. Rough draft of two letters from Mr. Kennett.]

No. 13. "Colonel Taylor presents his compliments to Mr. Kennett, and is extremely sorry that he could not wait, as the Duke's carriage was waiting for him. He is directed by H. R. H.
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to say, that he will apply for the situation of Assistant Commissary General, &c. &c. at Surinam, but that he will be able to do it with more effect if Sir H. Mann will write to H. R. H. recommending Mr. Kennett.

" ROBERT KENNETT, Esq. &c. &c. &c.

" *Horse-Guards, Aug. 15th.*"

No. 18.

Moore Place, Lambeth, Sept. 16th, 1804.

" Sir,

I called

" I did myself the pleasure of calling on Mr. Greenwood yesterday, respecting the loan to his Royal Highness, and of my intention to write to Mr. Adam, which I did by last night's post, wherein I requested Mr. A. to say, if I could forward the business in any way previous to his returning to town.

" I beg leave, Sir, also to observe, I was with the gentleman yesterday in the city, respecting the business of Surinam, and who still *and I still flatter myself with the possibility of getting the appointment of C.* hoping if possible, to be yet favoured with the appointment of the collectorship, (in preference to any other) and in the event will he that H. R. H. wishes.

advance to any amount the situation in particular (of army agent, &c.) being of trivial emolument, adequate to the risque of the climate."

" Sir,

" With all due reference and respect to his Royal Highness the Duke of York, for his application in my behalf of the appointment of army agent, &c. at Surinam, but as the emoluments of it are but trivial, adequate to the risque of the climate, (and the short time it may be in our possession) I beg leave to decline accepting it.

Permit me Sir, to observe,

" As there is yet a probability of succeeding to the appointment of Collectorship of the Customs, without presuming the preference, but as I believe there is no warrant made out for it—but in Sir, in that case, H. R. H.'s patronage the event that it is inevitably disposed of, allow me to solicit the situation of Vendue Master, at a per centage, on the same footing as at Demerara.

Addressed:

" *Lieut.-Col. Taylor, &c. Outlands.*"

State to the Committee what you know of the transaction respecting which, in your first letter, No. 8, you desired Mr. Kennett to call upon Mr. Greenwood. As far as I can recollect, Mr. Kennett wrote to me at Outlands a short note, stating that he had something to propose to me for the advantage of his Royal Highness the Duke of York, and desiring that I would see him; I am not quite certain whether I appointed him there or in London, but I think at Outlands. Mr. Kennett mentioned to me I think then, or in a note (I cannot charge my

memory exactly, having kept no notes,) but I think he verbally mentioned to me, that he could procure for his Royal Highness the loan of thirty or forty thousand pounds; and as far as I recollect that was all that passed then, except that I said I should submit it to his Royal Highness the Duke of York, and let him hear further from me upon the subject.

Do you recollect the date of this conference with Mr. Kennett? I do not.

State it as nearly as you can? I really cannot recollect.

Do you recollect the year? I do not recollect the year, I was told of it coming here.

Do you mean to state that this was the first step in this transaction? Yes, it was.

That Mr. Kennett volunteered his services? He did.

Did you inform the Duke of York of this application of Mr. Kennett's? I did.

What was the result? I was desired to refer Mr. Kennett to Mr. Adam.

Do you know any thing more which took place respecting that transaction? At that time, or subsequently, Mr. Kennett mentioned to me that he was very much supported by Sir Horace Mann, with whom he had been long acquainted; and he told me, that Sir Horace Mann had desired him to say he should feel very much obliged to me, if I could use my influence with the Duke of York to assist him in obtaining a situation. I am not certain whether that was in his first verbal communication or in his second.

Was the second communication long after the first? No, very shortly.

Between the first and the second, do you know whether Mr. Kennett had seen Mr. Adam? I believe not.

What passed at that second meeting? I really cannot state exactly what passed; I cannot charge my memory with the particulars.

Did you state to the Duke of York when the offer of the loan was made by Mr. Kennett, that Sir Horace Mann would be much obliged to the Duke if he could procure for Mr. Kennett a place? Mr. Kennett's communication respecting Sir Horace Mann was subsequent to the offer of the loan; the offer of the loan had been communicated to his Royal Highness previous to the communication respecting Sir Horace Mann.

Are you certain that the communication respecting Sir Horace Mann was at the second meeting? I am almost certain, as far as I can be from recollection.

Are you certain that it was after the first conversation with Mr. Taylor? I have stated that it was subsequent to the first.

Do you mean to state that you are not certain whether it was at the second or some subsequent meeting? Yes, it certainly was not at the first.

Did you ever state that communication respecting Sir Horace Mann's wishes to the Duke of York? I did.

How soon after Mr. Kennett had informed you of that wish of Sir Horace Mann's did you mention it to the Duke of York? I think almost immediately.

You do not know what interval there was between the offer of the

loan and that communication respecting Sir Horace Mann's wishes? I really cannot say.

Was the negotiation of the loan ever concluded? I believe not; but I do not know; for his Royal Highness has not been in the habit of employing me in his money transactions.

Do you know any thing more of that negotiation about the loan? Mr. Kennett called upon me several times, and wrote to me occasionally; but it is very difficult for me to recollect what passed upon the subject, from the time that has elapsed; but as far as I recollect, Mr. Kennett mentioned to me repeatedly that he had seen Mr. Adam: he complained of Mr. Adam's delay; and at one time he said he really began to think that his Royal Highness and Mr. Adam were indifferent about the loan, from having been put off so often as he had been.

State to the Committee what you know with respect to the steps taken to procure Mr. Kennett a place, and the correspondence with Mr. Adam and others upon that transaction? In consequence of Mr. Kennett's communication to me, particularly that in which he mentioned, that Sir Horace Mann was very much interested in his favour, I stated to his Royal Highness the Duke of York Mr. Kennett's wish to obtain an office; those offices were specified by him; I do not recollect what they were, and his Royal Highness authorized me to write to Mr. Long upon the subject; I do not recollect writing any other letter; I probably have, but I cannot charge my memory, having had no reference to papers.

Were the two letters of which you have read the copy, (No. 18.) shown to the Duke of York? I cannot recollect, but I believe not.

Was the substance stated to the Duke of York? I dare say it was.

Have you any doubt that it was? I have no doubt that I did state it to the Duke; not that I can positively say that I did; but I probably did.

Was it in the regular course that you should state it to the Duke? I certainly should have stated it to the Duke if I received such letters, believing the communication to be intended for him.

Do you know whether Mr. Kennett ever obtained any appointment? I understood not.

What was the situation about the Duke of York which you filled at that time? I was private Secretary to his Royal Highness.

[The witness was directed to withdraw.

CHARLES GREENWOOD, Esq. was called in, and examined by the Committee as follows:

Do you recollect Mr. Kennett coming to you? I do.

State to the Committee all you know respecting that transaction. I know very little about the transaction, further than Mr. Kennett's calling upon me, I understood by the Duke of York's commands, communicated by Colonel Taylor; I heard what he had to say, but I considered it a wild proposal, and did not much attend to it.

When was this? I really cannot recollect the time.

What was the proposal which you state to have been a wild proposal? A very large loan, and without any thing required but personal security; that was the proposal, to the best of my recollection; I may be mistaken.

To what extent was the loan? To the best of my recollection \$0,000; I am not at all clear upon it, but I think it was so.

Did Mr. Kennett state to you, that he wished for any thing else in consequence of the advance of this sum of money, besides personal security? I understood his object was to obtain some appointment for a friend.

What sort of appointment? I do not recollect.

Do you know who that friend was? I do not.

Do you mean an appointment under Government? I concluded so; upon recollection, I doubt whether it was not some appointment in the West Indies that was his aim.

Did you state this conversation to the Duke of York? I stated the substance of it.

What was the Duke's observation? I do not think that his Royal Highness gave much attention to it, but said it might be enquired into, or something to that effect.

Do you know whether it was inquired into? I rather think that Colonel Taylor or Mr. Adams, I am not clear which, had directions to inquire about it.

Do you know, of your own knowledge, any thing more about it? I really do not.

Did you ever see Mr. Kennett upon the subject afterwards? He called upon me two or three times.

What passed upon those occasions? Repeating his offers, and I paying very little attention to them.

Did he at each time repeat his application for a situation under Government? I do not recollect that he did.

Are you certain about it? He might have possibly stated his wish for an appointment under Government more than once; I cannot be certain of it; but in general, the conversations were very short with me.

Did you communicate those conversations to the Duke of York? I do not think that I did, all of them.

Did you communicate some of them to the Duke of York? I remember telling the Duke of York, that I did not think it was a proposal that could be of any effect.

Did you ever state to the Duke of York his wish to obtain the situation under Government? I believe I did.

Did Kennett ever apply for a situation under Government for himself? Not to my knowledge.

Always for a friend? I always understood him so.

Are you certain that he so stated it? I am certain that I understood him so.

Did you know who Mr. Kennett was? I heard that he had been in trade in Bond-street.

Did you know what profession he carried on at that time? No.

Did you know where he lived? No, I rather think he lived some, where beyond Westminster Bridge, but I do not know where.

Did you know that he had been a bankrupt? I do not know that for certain, I knew he had been in trade, but whether he had failed or not, I do not recollect.

Did you ever enquire into this man's character? I had heard an indifferent character, I did not enquire about him.

Did you state the result of those enquiries to the Duke of York? I believe I stated that he was a man not to be attended to; I think so.

Are you not certain that you did so? I think it must be so, because it was my feeling.

You have no doubt that you did so state? I have no doubt that I did.

[The witness was directed to withdraw.]

Lieutenant Colonel TAYLOR was again called in, and examined by the Committee, as follows:

Pending the transaction with Mr. Kennett, which you have mentioned, did you make any enquiry respecting his character? I did not, he was only known to me from Sir Horace Mann's recommendation.

Did any friend of your's state to you any thing he knew of him? In the course of his visits to the Horse Guards, where he came three or four times, more or less, he was met by a person who asked me whether I had long known him; I stated to him that I only knew him from Sir Horace Mann's recommendation, and from his communications to me subsequent to that. He then told me, that he had formerly known him; I think he said he had been a stock-broker, but I am not certain; but I am certain that he said he had failed, and that there were circumstances attending his failure which were not to his credit, and he cautioned me against him.

Did you communicate to his Royal Highness the Duke of York this information? I did.

What passed between yourself and his Royal Highness in consequence of your making this communication? His Royal Highness ordered me in consequence, to drop every further application in his favour.

Is there any other circumstance connected with the communications you held with Mr. Kennett that you can recollect, and which is material to this inquiry? I cannot say I recollect any other.

Do you recollect when that information was given you, respecting Mr. Kennett? I do not, it was after I had had several communications with him, as I have before stated.

Had you any communication with him afterwards? None that I recollect; I might have some verbal communication with him, but none that was material, certainly.

From whom was it you received this information? I was desired by the person giving me the information not to name him.

When you first saw Mr. Kennett, did he come recommended by Sir Horace Mann? He did not.

Did you see him frequently before he was recommended by Sir Horace Mann? I think it was the second time that he mentioned the interest Sir Horace Mann took in his favour, and I think he brought a letter from Sir Horace Mann to me.

Did he bring that letter in consequence of any wish expressed by you that he should bring some recommendation before you would enter into a negotiation of this sort? He did not, the recommendation from Sir Horace Mann was spontaneous.

Did you not know that Mr. Kennett had been a bankrupt? I did not, I knew nothing of Mr. Kennett till I received that information.

[The witness was directed to withdraw.]

WILLIAM ADAM, Esq. attending in his place, was examined by the Committee, as follows:

State to the Committee what you know of this transaction. When this transaction was begun to be stated by Mr. Duff, and that he mentioned Mr. Kennett, I had not, at first, the most distant recollection of such a transaction ever having taken place; but as Mr. Duff went on and stated some circumstances, the recollection of such a transaction recurred to my mind, and the circumstance of my two notes and my letter having been put in my hand, has made that recollection still more accurate, as far as it is possible for me to call that accurate at all which rests in recollection at so long a distance of time. I remember to have seen Mr. Kennett on the business of this proposed loan, and upon that only; nothing, as far as I can recollect, was ever stated to me by him but that; and the first impression I now recollect that I had of it was, that it would not turn out a loan that could be entered into. I apprehended that soon after my first interview, if I had more than one with him in the month of August, I must have left town for Scotland, and, consequently, have known nothing of what was proceeding, if any thing was proceeding in the interval; and I can only account for the last letter, the letter written from Scotland, in this way; that previous to my departure from my residence there, I had been considering the different matters I was to enter into probably when I returned to town, and amongst the rest had written upon that subject. I do not recollect ever to have seen Mr. Kennett after my return; at the same time, I think it is probable that I may have seen him, but the loan was put an end to; and all intercourse with Mr. Kennett was put an end to without any thing being done. I think it right to say, that I knew nothing at all of Mr. Kennett when he first called upon me, or any thing respecting his character. This is all I can call to my recollection.

Did you make any enquiries respecting the character of Mr. Kennett? I have no doubt that I must have made enquiries, though I cannot recollect them; and I think the information, which Colonel Taylor mentions, must have been communicated to me.

Do you mean that it was communicated to you by Colonel Taylor? I can only say that I presume it was, but I cannot speak from any certain recollection.

You cannot say whether you heard it from Colonel Taylor? I cannot say positively whether I heard it from Colonel Taylor.

Nor can you recollect when you heard it? I cannot recollect when I heard it, but I think it must have been after my return from Scotland, in October, 1804.

What was that information? That he was a person not at all likely to accomplish the object, and a person of the character which has been alluded to by Colonel Taylor.

GWYLLYM LLOYD WARDLE, (having delivered in some letters,) was examined by the Committee, as follows:

Are the letters which you have now delivered in, the letters which are alluded to in Mrs. Clarke's letter of the 28th January? I presume they are; they are the letters of the officers she was to have got recommendations for; I know of no other letters, and I possess no others.

State with as much accuracy as you can, the time when you received these letters from Mrs. Clarke? I have no recollections enabling me to state the date precisely.

In what year was it? It was within the last two months.

Are they the letters stated to have been delivered to you with a view to facilitate some negotiation? Yes, I suppose so; they are letters of recommendation of officers for promotion, which I understood from Mrs. Clarke were sent to her by Mr. Donovan for her to get further recommendations upon.

WILLIAM ADAM, Esq. was examined in his place, as follows:

Were you consulted as to whether the annuity to Mrs. Clarke should or should not be paid? No, I did not know of its having ceased to be paid.

Then the Committee are to understand you did not advise the non-payment of the annuity? Certainly I did not.

Was it known to you that the Duke refused to pay his annuity? I knew it in no other way than by the communications which I had with his Royal Highness, as well as I can recollect at the time I received those letters from Mrs. Clarke, which have been laid upon the table of the House.

Do you know the reason of such refusal? I did not know the specific fact or facts that was the cause of the discontinuance of the payment of the annuity, but I know in general from the same source, I mean from conversations with His Royal Highness, that the annuity was discontinued in consequence of an impression upon his mind, that Mrs. Clarke's conduct had not been such as to fall within the condition upon which the annuity was originally granted; when I say originally granted I do not mean to have it inferred that there was any regular grant of the annuity, but that I was desired to state at the time that I communicated to Mrs. Clarke that his Royal Highness was not to see her again; that she was to receive a quarterly sum in the manner that I have stated in my former evidence, 100*l.* a quarter.

Did the discontinuance of that annuity arise at all from the Duke's knowledge of her interference in military promotions? I had no reason to believe that his Royal Highness was at all acquainted with any such interference at the time the annuity was discontinued. I wish to add, that the annuity was an annuity the payment of which, as I have already stated in my evidence, did not fall within any fund of his Royal Highness's that was under my administration. I hope the Committee will not think it improper I should go on to state, that this matter may be clearly and distinctly understood, which was a little misunderstood on a former night, notwithstanding the manner in which I endeavoured to express myself in the early part of this proceeding, that that portion of his Royal Highness's income which he retains for his own expenditure in his family, on his property, and in whatever other mode his expenditure is applied, is not in the least within the province of my trust or knowledge; that all that is within my trust or knowledge is, that sum which has been appropriated by his Royal Highness towards the payment of the interest and the liquidation of the principal of those debts.

State, if you can, at what time, and by whom the impression was made upon his Royal Highness's mind to which you have referred? I certainly do not know by whom it was made, nor do I know at what time it was made. I have already stated the time at which I first became acquainted with it, or nearly so.

MRS. MARY ANN CLARKE was called in, and examined by the Committee, as follows:

Are these the letters which you delivered to Mr. Wardle, in order, as you stated in your letter to Mr. Donovan, to facilitate some negotiation? *[The letters delivered in by Mr. Wardle being shewn to the Witness]* Yes, these are the letters.

When did you deliver these letters to Mr. Wardle? Soon after I received them from Mr. Donovan.

When did you receive them from Mr. Donovan? I do not recollect.

The letters appear to be all dated in the beginning of the year 1808, had you them in your possession from the time of the dates until you delivered them to Mr. Wardle? I cannot exactly say.

Look at that letter, and say whose hand writing it is? *A letter being shewn to the witness]* I do not know.

Look at that letter (No. 2) and say whose hand-writing you believe that to be? I do not know the hand at all.

Look at the letter (No. 3) and say whose hand-writing you believe that to be? I do not know.

Those letters purport to be certificates from officers; did you give these letters to Mr. Wardle with a view to his procuring the signature of any member of parliament as an additional recommendation, not knowing whose hand-writing the original recommendation was? I gave another to General Clavering, and he took the precaution of enquiring at Mr. Greenwood's, or the Adjutant-general's. I believe it is one of those I gave to General Clavering, that signed "Rosa."

These letters purport to be certificates from officers; did you give these letters to Mr. Wardle with a view to his procuring the signature of any Member of Parliament as an additional recommendation, not knowing whose hand-writing the original recommendation was? Yes, Mr. Donovan told me they were all correct, and that they were the officers' recommendations in a proper manner.

Did Mr. Donovan tell you they were the hand-writing of the respective officers whose hand-writing they purport to be? Yes, he did.

Do you now know the hand-writing of the person who wrote either of these letters? No, I do not.

Do you know the hand-writing of Mr. Donovan? Yes, I have had a great many letters from Mr. Donovan.

Look at that letter, and say whether that is not the hand-writing of Mr. Donovan? I think that looks very like it, but I would not take upon me to say it is, when it is signed "William Wallace;" I think it looks very like it.

At the time you received that letter, did you conceive that the body of the letter was of the hand-writing of Mr. Donovan? No, I certainly did not, nor should I without looking at it again. I would not think that a man would presume to put another man's signature; and I am not sure that it is his writing now, but it is very like it.

Was the only reason for your not supposing it to be the hand-writing of Mr. Donovan at the time that you received it, that the signature was the signature of another person? I never made any remarks upon it at all; perhaps I did not read it.

Did you put letters into the hands of a Member of Parliament to procure his recommendation, those letters being original recommendations themselves, without reading them? Yes, I should, because the person

would take care that it would be proper before he got any thing done, as General Clavering did; he went to ascertain the writing, and found it to be correct, as he told me.

Look at both the letters signed "Wallace." [*They were both shown to the witness.*] One is only a copy of the other letter? Mr. Donovan has copied this letter; I suppose you perceive that; if you read them, they are both the same.

When did you receive the copy, and when did you receive the original? I cannot tell; here they both are; I can tell nothing further than that.

Did you receive them both at the same time? I cannot tell.

The letters are not merely a copy; one is addressed at the bottom, and the other is not? General Leigh is left out in one.

Which is the original? That I will leave to the honourable House to find out; but the other is addressed on the outside to General Leigh, that is the only difference; what is at the bottom of one is on the outside of the other; it is only half a sheet of paper, that he could not put it upon the back perhaps.

How do you know that Mr. Donovan has copied the one from the other? Because it appears from looking at them; I think that the looking at them would convince any one.

You have now no doubt of one of these letters being Mr. Donovan's hand-writing? No, I think one is his hand-writing perhaps; it is very likely; I do not know.

Are these the letters which you state yourself, in your letter to Donovan of the 28th of January, to have put into Mr. Wardle's hands for the purpose of facilitating the negotiations? Yes, I think they are; but General Clavering had one; I do not know what is become of that.

Are these all the letters you put into Mr. Wardle's hands for the purpose of facilitating the negotiation? Yes.

And to which you refer in your letter of the 29th of January? Yes.

Explain to the Committee in what manner you conceived these letters in Mr. Wardle's hands were to facilitate a negotiation? He told me he would get some recommendations from some members of parliament.

Mr. Wardle told you that he would use those letters for the purpose of facilitating this negotiation, by getting the signature of some members of parliament? Yes, he did, and he has made a different use of them; I dare say he never tried.

Then you were led by Mr. Wardle to expect he would accomplish the object for which you put these letters into his hands, that of facilitating a negotiation from which you were to receive some pecuniary advantage? Yes, but I find now he was only laughing at me; it was only to get into the secrets of Donovan and myself.

What was the reason assigned for the non-payment of the annuity, or was there any reason assigned? There was no reason whatever assigned.

Do you recollect what the conditions were upon which the annuity was to be paid? No, there were no conditions at all; Mr. Adam promised faithfully, both to me and to my lawyer, to see it punctually paid. I believe you are going to call in Mr. Reid; it is quite unnecessary, for I do not deny any thing Mr. Reid said about sending me wine.

Why, if the letters now produced are the letters you delivered to Colonel Wardle for the purpose of facilitating some negotiations which relate to army promotions, do you describe one of them, in your letter of the 28th of January, as referring to two deaneries? In my opinion it did not refer to any such thing.

[Mrs. Clarke's Letter to Mr. Donovan, of the 28th of January, was read.]

Those are the letters he took away.

Can you state nearly the total amount of the different sums that were paid on your account by the Duke of York, during the period you continued under his protection? I knew nothing at all about it, what he paid.

Do you recollect whether your coachman in Gloucester-place, was on board-wages? He lived in the house till he married, and then he was on board wages.

MR. REID being called as a witness,

Mrs. Clarke.—I beg to ask, whether it is necessary for Mr. Reid to be called in while I am here; may I not take the sense of the honourable House upon that?

[Mr. Reid not being in attendance, the witness was directed to withdraw.]

GWYLLYM LLOYD WARDLE, Esq. was examined in his place, as follows:

Did Mrs. Clarke put any letters into your hands, avowedly for the purpose of facilitating the negotiation, and stating that to be the object? She put them into my hands, and said, she wished I would get them signed for her; but till she made known the circumstance last night, I really did not know what she meant by the term negotiation.

What answer did you make to this proposal? Really, I believe, I said my friends were on the wrong side of the House, or some answer of that description, and that very little more passed; and I took the letters, and kept them ever since.

Then if you stated that your friends were on the wrong side of the House, what led you to make that statement, not understanding what she meant by facilitating the negotiation? Certainly, when I heard her note read, I had not the most distant idea of what she meant, nor had I till I heard her state the circumstance last night.

Were the letters she put into your hands for the purpose of facilitating the negotiation, the three letters you have delivered in this evening, or the letters referred to in her letter to Mr. Donovan of the 28th January? I believe the letters referred to in her letter of the 28th January were on the table of this House at the time she wrote that note, or very nearly so; I had the letters she refers to in that note a long period before that letter was written; I had the letters respecting the Deanery and the Queen, I believe, long prior to my having those I have delivered in to-night.

Then the Committee is to understand, that the letters referred to in Mrs. Clarke's letter to Mr. Donovan of the 28th of January, as having been put into your hands for the purpose of facilitating the negotiation, were not the letters described by Mrs. Clarke in her letter to Mr. Donovan? I should conceive it impossible, for I had them a long pe-

ried before, and I believe they were upon the table of this House at the time she wrote that letter.

Were you aware that one of those letters which you delivered in this evening was in the hand-writing of Mr. Donovan? I certainly was not, I hardly ever looked at them till to-day; I perceived that one was a copy, but I never attended to it at all.

[The following extract from Mrs. Clarke's evidence was read.]

"Q. Explain to the Committee in what manner you conceive those letters in Mr. Wardle's hands were to facilitate a negociation? A. He told me he would get some recommendations from some members of Parliament.—Q. Mr. Wardle told you that he would use those letters for the purpose of facilitating this negotiation, by getting the signature of some members of Parliament? A. Yes, he did; and he has made a different use of them; I dare say he never tried."

Is that statement which has just been read true? I have before stated, that when Mrs. Clarke gave me these letters, I said, that my friends were on the wrong side of the House, or something of that kind; and I really do not recollect that any thing further passed upon the subject.

Did you make the promise which Mrs. Clarke has stated you made? I certainly did make no direct promise; I gave her that sort of answer, which I have a dozen times repeated to this Committee.

Did you make any promise whatever, direct or indirect? I have answered that question frequently; I never said more to her upon the subject than I have stated to the House.

Is Mrs. Clarke's statement true or false? Really, after I have most positively stated all that passed upon the subject, I should think the honourable gentleman is as equal to draw the conclusion as I am myself, it depends so much upon the impression at the moment, and my actions at the time. I was anxious to get the letters; that I made any direct or positive promise I am not at all aware; by my taking the letters away she might draw that conclusion, but I have not the least recollection of such a promise having been made by me.

Can you positively state to the House that you did not give Mrs. Clarke reason to believe when you left her, that you would carry into effect her wishes as far as was in your power? I have before stated, that I do not recollect making her any promise whatever.

Did you, directly or indirectly, promise Mrs. Clarke that you would comply with her request? Whether or not my taking away the letters, and making her the answer I have before repeated, might indirectly lead her to suppose I would do it, is more than I can say.

Upon this Mr. B. Bathurst begged to observe, that when one of their own members was called on to give evidence in his place, he stood in the same situation as any other witness. No witness in a court of justice would venture to make his statement, and then tell the judge and the jury to draw their own conclusions, in a similar case. He therefore was of opinion that the honourable member was bound to answer the question.

Mr. Martin contended, that the question was merely a repetition of a question that had been several times answer-

ed. Did the honourable member mean to ask whether the general statement of Mrs. Clarke was false? The right honourable gentleman who had just sat down appeared to him to have fallen into a misapprehension respecting the practice as to evidence in courts of justice; for unquestionably it would be a sufficient answer to a repetition of a question in any court of justice, to say that the question had been already answered by the witness.

Mr. Bathurst denied that the question of the honourable member had yet been answered.

Mr. *Whitbread* agreed with the right honourable gentleman, that the question, "Whether the statement of Mrs. Clarke be true or false," had not yet been answered; but the question had been put in a shape which appeared to be pressing hard upon a member of that House. (*No! no! no!*) His honourable friend had often declared what he had said to be, that his friends sat on the wrong side of the House. It was possible that Mrs. Clarke might understand the words of his friend to imply the promise she stated. She and his honourable friend might have a different understanding of the conversation that passed on the occasion. But though he admitted that the question, "true or false," had not been answered in a direct shape by his honourable friend, he contended that it had been repeatedly answered in substance.

Mr. *Wardle* had no hesitation to answer the honourable member's question if he had known how. He was certainly anxious to get the letters, and had already stated all that passed; but it was impossible for him to say what might have been the impression upon the mind of Mrs. Clarke.

The *Attorney-General* observed, that there could be no doubt of the propriety of the question. Mrs. Clarke had stated that the honourable member had made her a promise, and the honourable member denied that he had made any direct promise. The next question, therefore, to ask was, whether the honourable member had made to her any direct or indirect promise, and surely there could be no offence in that.

Mr. *Wardle* again stated, that he had no objection to answer that question. He never had made Mrs. Clarke any positive promise, and had already informed the house of all that he had said upon the occasion.

The member who put the question; declared that

he had put it in that particular form from a feeling towards the honourable gentleman. (*A loud laugh.*) During the examination this night, and last night, he had observed that questions had been put in an indefinite form, to which answers had been given that did not prove satisfactory to any body. To avoid all ambiguity, therefore, he had put the question in a direct shape, in order to afford the honourable member an opportunity of giving an answer. It was the honourable member who had the conversation with Mrs. Clarke, and it was he, therefore, that was competent to draw the conclusion.

Mr. Barham thought that it was more a question of conclusion than of fact, and the honourable gentleman could not be called on not only to give his own opinion, but his opinion of the opinions of others.

Mr. Croker said he had done his duty in putting the question, it was for the honourable gentleman to answer it as he thought fit, and the Committee to require what appeared to them necessary.

Mr. Wardle—"I was anxious to get the letters, but made no direct promise that I am aware of."

Mr. Reid was called for, but was not in attendance.

Mr. Beresford rose to put a few questions to the honourable member (*Mr. Wardle*), whilst the Committee was at a stand waiting for the witness.

Lord Folkestone rose to order. He thought the proceeding which had just taken place, of the most indecent description. The witness who was under examination had been ordered to withdraw at his instance, because he thought it would not be proper to call in the other witness while she was still at the bar. That suggestion had, however, been over-ruled, and *Mr. Reid* was called for; but when it was found that he was not in attendance, the gentleman opposite had resorted to a kind of interlude, in a course of indecent examination of his honourable friend, in order to eke out the time till their witnesses should arrive. He must add, that it was no improper representation of the whole to call it a highly indecent, improper, and indecorous proceeding.

Mr. Beresford replied, that the representation made by the noble lord of his conduct, was neither a faithful, just, nor a true representation. He had not communicated with any body about him as to the questions he had

to put, and had acted solely upon a sense of his duty, thinking the time he rose the most convenient to put his questions to the honourable member. Unless the Committee should stop him, he should, if not then, at least before he left the House, put those questions to the honourable member.

Lord Folkestone disclaimed any idea of accusing the honourable member of having communicated with others. It was the whole tenor of the examination that he complained of.

The Chancellor of the Exchequer begged to offer an observation on the censure which the noble lord had thought proper to cast upon some persons, whom he chose to consider as a corporate body, in bestowing that censure for the course that the examination had taken. The object he had himself in view in calling in Mr. Reid was, that, as Mr. Reid had given evidence as to the female who passed at his hotel as Mrs. Dowler, and it was impossible he could state her to have been the witness at the bar, he might, by appearing with her at the bar, be enabled to ascertain that fact. Upon inquiry, however, it was found that Mr. Reid was not in attendance, and whilst the Committee had to wait for his appearance, he was himself prepared to make that statement, to which he proposed to call the attention of the Committee after the case was closed on the other side. Mr. Reid had been sent for, but in the mean time several members thought proper to put questions to the honourable gentleman, out of which had arisen that debate which incurred the censure of the noble lord, and in which he had himself taken no part. He could assure the Committee, that no individual had communicated with him on the subject of the questions that they had put, and which called down the animadversion which began with him singly, and was afterwards extended to others. As Mr. Reid was not yet come, if the Committee would permit him and the other gentlemen upon whom the noble lord's censure had fallen, and would consent to let the matter rest here, he was prepared to state a fact which had been ten or twelve days in his knowledge, and which had been communicated to several gentlemen upon both sides of the House. He had reserved the communication of this fact till the case had been closed, and if the Committee should be of opinion that the circumstance ought to have been communicated

earlier, the fault was entirely with him. His Royal Highness had wished him to make the statement earlier to the Committee, and consequently he alone was culpable if it had been improperly withheld. The fact he had to state was, the suppression of testimony as to one of the charges which had been brought before the Committee, namely, that with respect to Major Tonyn's case. It appeared by the minutes, that a sum of money had been lodged by Captain Tonyn to be paid to Mrs. Clarke and Mr. Donovan in the event of his promotion taking place. It appeared, also, that after some time, Captain Tonyn became impatient, and demanded his security back in May or June. (Here the right honourable gentleman referred to the parts of the minutes of the evidence of Mrs. Clarke and Captain Sandon relative to that part of the transaction.) The important suppression to which he wished to call the attention of the Committee was in the evidence of Captain Sandon. But before he mentioned the circumstance, he should state to the Committee the manner in which he received the information. On Saturday se'nnight a letter had been delivered to him by Colonel Hamilton, from his learned friend opposite (Mr. Adam), acquainting him that Colonel Hamilton had an important communication to make. He saw Colonel Hamilton a few minutes after he waited on him, and learned from him, what he collected from Captain Sandon, since his arrival in England from abroad. Colonel Hamilton was an officer in the Waggon Train, to which Captain Sandon also belonged. On his arrival in England, Colonel Hamilton learned the state of things with respect to the charges brought forward in that, and, amongst others, that respecting Major Tonyn's case. Colonel Hamilton then sent for Captain Sandon, who stated to him all he knew of the transaction, being all he had stated at the bar of the House afterwards, with the exception of what he had suppressed. Captain Sandon said, that when Major Tonyn became impatient, he went to state the circumstance to Mrs. Clarke, who sent him back to Major Tonyn to inform him that she had received a note from the Duke of York respecting his case, which note was shewn to Major Tonyn by Captain Sandon. The note was, "I received your note, and Tonyn's case shall remain as it is." This note was intended to shew that the person to whom it was written had influence, and in consequence Major Tonyn con-

sented to let his security remain. When Major Tonyn was gazetted, Captain Sandon was directed to shew him another note, purporting to have been written by the Duke of York, and stating, "Tonyn will be this night gazetted." The former note Captain Sandon shewed to Colonel Hamilton, and said, that he thought it would be the best course to destroy it. Colonel Hamilton, on the contrary, strongly dissuaded him from destroying so material a part of the evidence. The other note had been given to Major Tonyn by Captain Sandon, but was not afterwards given back. Colonel Hamilton mentioned the matter to his learned friend, and, by his advice, went to Captain Sandon, when he obtained a copy of the note, and again repeated his injunction to the captain not to destroy the note. He understood that Captain Sandon, when he came to London, proposed to see Mr. Lowten, agent for his Royal Highness, and also to wait on Mrs. Clarke, in order to his being examined by each. His learned friend had sent Colonel Hamilton to him, and followed soon after himself. It appeared to him, as he trusted it would to the Committee, that his learned friend and himself should instruct Colonel Hamilton as to the course which Captain Sandon should pursue. They recommended that he should not submit to be examined either by Mr. Lowten or Mrs. Clarke, but keep himself clear of all interference on either side, until he should come to the bar, but above all things not to destroy the paper. These were the instructions which had been given to Colonel Hamilton. It would also strike the Committee that his communication ought to have been made to his Royal Highness the Commander in Chief. But whatever might be the result of the investigation then pending, neither he, nor his learned friend, as members of parliament, could, consistently with a sense of duty, make themselves the depositaries of this secret. As it had been communicated to them they felt they were bound to make it public. The communication of the circumstance, had been made to the Commander in Chief late on Saturday. His Royal Highness utterly denied all knowledge of the matter, and declared the note to be a forgery. The Commander in Chief came shortly after to his house with his learned friend, and restated with the strongest conviction, upon the best efforts of his memory, that he had no knowledge of the matter, and that he wished it to be sifted to the bottom. As to the fact of the note re-

lating to the appearance of Major Tonyn's name in the Gazette, his Royal Highness could not be so positive. He could not state that he might not have written such a note, in answer to a note which might have been addressed to him; he could not call the circumstance to mind. The other note, however, his Royal Highness most positively denied having written. His learned friend had stated what passed between Colonel Hamilton and Captain Sandon, who acted as it was wished he should. He told Colonel Hamilton that he would come here, and, as he did, tell the truth, but that he had destroyed the note. When they found that the note had been destroyed, they ceased to have any communication with Captain Sandon, and left him to come to the bar, and state what case he should think proper. He had come to the bar, but had suppressed this important feature in his evidence, which, whether the note were a forgery or not, ought to be communicated to the Committee, in order that, if a forgery, the authors might be detected and punished, and, if not, that it might have its due weight in the pending investigation. He had thought it his duty to make this communication to the Committee; and if there was any impropriety in having delayed it till this period, the fault was his, though he had reason to suppose it ought to have been brought out in the examination of evidence at an earlier period of the inquiry.

Mr. Adam observed, that the right honourable gentleman who just sat down, had stated this most important circumstance with so much correctness, clearness, and accuracy, that little more remained for him than to corroborate his statement. The honourable member then briefly recapitulated the several facts mentioned by the former speaker, and stated, that in his interview with the Commander in Chief, his Royal Highness distinctly and clearly disavowed ever having written such a note. On the day subsequent to the interview, Colonel Hamilton mentioned to him the destruction of the note. It was then agreed between him and the right honourable gentleman, that they should both make communication of the circumstances to certain gentlemen on each side of the House. The right honourable gentleman had done so to his side, and he to a noble lord (Lord H. Petty), an honourable member near him (Mr. Whitbread), and another.

Captain HUXLEY SANDON was called in, and examined by the Committee, as follows :

You were examined the other day on the subject of Major Tonyn's promotion ; did you on that occasion state all the particulars you recollected of that transaction ? To the best of my recollection I did.

You did not keep back any important fact ? No, not that I recollect.

You stated that Major Tonyn was dissatisfied with the delay ; that you observed to him, that he had better wait for a few days, for that you thought in all probability he would be gazetted ; and, after arguing the point for a little, he said, for two or three Gazettes it does not signify ; let the business go on ; and if I find I am gazetted in a week or ten days, the business shall be as it originally was ? I believe that was what I mentioned.

And that was what then passed ? That is what I can bring to my recollection.

That is all you can bring to your recollection ? Yes.

Did it pass in those words ? As nearly as I can recollect.

Do you recollect any of the arguments you used to persuade Major Tonyn to think that this friend of your's had an opportunity of influencing the Duke ? Not particularly ; I told him I thought he had better wait two or three gazettes, and most probably he would be gazetted ; indeed I had reason to suppose that it would ; that was all that I can recollect.

Did you inform Mrs. Clarke of Mr. Tonyn's inclination to withdraw his money ? Yes, I did ; I waited upon Mrs. Clarke, which I related before, and told her he was dissatisfied at the delay, and desired he might have his memorandum again, which was for the 500 guineas.

Do you recollect what passed with Mrs. Clarke upon that ? Mrs. Clarke said he was a shabby fellow, but she wanted money, and begged that I would desire him to stop for a few days, and most probably he would be gazetted.

That is all that you can recollect that she desired ? That is all that I can recollect she desired.

You are quite sure of this ? To the best of my recollection.

Recollect yourself thoroughly that you may not be taken by surprise ; will you now continue to state, that, to the best of your recollection, this was all that passed ? I think it is all that passed, that is my opinion.

Do you recollect whether there was any paper shewn to Major Tonyn in the course of that conversation ? A paper, how do you mean ?

Was there any paper shewn to Major Tonyn ? Mrs. Clarke gave me a note that I should shew to him.

Then you did not state all that passed ? I took her note to say that he had better wait.

A note from Mrs. Clarke ? Not immediately a note from Mrs. Clarke to him ; she said, shew him this note, that he had better wait. He doubted that ; he doubted that I had any body that I could apply to, he doubted my ability to get the situation.

Then you did use some other arguments than those you stated in your evidence by the production of this note ? I merely said I thought this was the business. I did not mention who it was that was the inte-

rest; I said I had a paper which would shew that probably he had better wait; merely to say, that he had better wait.

What was the note to say, that Major Tonyn had better wait? That I cannot recollect, I cannot charge my memory what it was.

Do you recollect from whom the note was? From Mrs. Clarke.

A note from Mrs. Clarke to yourself? Yes, merely to say that if he would wait a little time he would have it.

The note you shewed was a note from Mrs. Clarke to yourself, to prevail upon Major Tonyn to think he had better wait? Whether the note was addressed to me, or to any other person, I cannot say; but it was said, you had better take this note, and shew to him, and let him see, that if he will wait the thing will be carried through.

Your recollection is, that it was to the effect of advising Major Tonyn to wait a little while? To wait with patience for a few Gazette days.

That is the substance of it? That was the substance of it, as well as I remember.

Did you see Mrs. Clarke write the note when you called upon her? I do not recollect that I did.

You are not sure that you did not? I am neither sure that I did, nor that I did not, she was very impatient about the money.

You have no recollection whether you saw her write the note or not? No.

You are quite sure you received a note from her? Yes, I am quite sure I received a note from her.

Did you see Mrs. Clarke more than once, to communicate to her the doubts of Major Tonyn? I cannot recollect, I cannot call to my memory whether I did see her again.

There was not more than one note? No, I had only that piece of paper which I mentioned.

Do you recollect what you did with the note; did you give it to Major Tonyn? That I do not recollect, whether I gave it to Major Tonyn, or what became of the note.

You really do not recollect? No, I do not.

Though you are not quite sure whether you saw Mrs. Clarke write the note or not, are you certain whether it was Mrs. Clarke's handwriting? I cannot pretend to say, I rather think it was.

Have you always stated this part of the case in the same way? I believe I have, I think I have.

Did you never tell any body that this note was a note in the handwriting of his Royal Highness the Duke of York? Not that I recollect.

Are you sure of that? I am very confident of it.

When did you first hear of these charges against his Royal Highness the Duke of York? I landed at Plymouth, I think, on the 24th of the month, and in coming from Plymouth to Portsmouth, by accident I took up the Traveller, and there I read these charges.

Do you know Colonel Hamilton? Perfectly well; I have the honour of being in the regiment with him.

Did you represent to Colonel Hamilton this part of the story in the way you have represented it now? I certainly asked Colonel Hamilton's advice how I should act upon the business, being the Colonel of the regiment I belonged to, and I related chiefly what I knew of the business.

What you have stated now? Yes.

Recollect yourself; did you not state to Colonel Hamilton that the note which you shewed to Major Tonyn was in the hand-writing of the Duke of York? I do not recollect that I did.

Could you have done so? I should imagine not.

Are you sure you did not shew him the note? If I had, I certainly should not have forgotten it.

That is not quite an answer to the question? I had not the note to shew.

Did you not either give or permit Colonel Hamilton to take a copy of this very note that we are talking of? Not that I know of.

You surely must know that fact, whether you gave him a copy, or gave him an opportunity of taking a copy of this note? I really cannot bring it to my recollection.

If you had not the note in your possession, you surely would be able to bring to your recollection whether you gave him an opportunity of copying it? I rather think there was something of a note.

When was it that you now begin to recollect there was something of a note? It must be when Colonel Hamilton took the note, or saw the note.

Then he did take the note? He must have seen the note of course, if he took a copy of it.

You told me you thought he did not take a copy of it? I cannot pretend to say whether he took a copy of it.

Do you mean to say, that there was or was not a note referable upon this subject, which you shewed to Colonel Hamilton? Yes, I think there was a note.

Was it the same note you shewed to Major Tonyn? That I do not recollect; I rather suppose it must have been the note that I did shew to Major Tonyn.

Did you tell Colonel Hamilton that it was the same note? I do not recollect that circumstance at all, whether I did tell Colonel Hamilton it was the same note.

Your memory, at the first time a question is put to you, is not always so perfect as it is afterwards; do you recollect whether you did represent it to Colonel Hamilton as the same note you had shewn to Major Tonyn? I shewed Colonel Hamilton the note.

You now recollect that there was a note, and that you shewed it to Colonel Hamilton? Yes, perfectly.

What is become of that note? I believe the note is mislaid.

When did you see it last? I saw it about six days ago, I think.

A note that you did not recollect to have been in existence when you began your examination, you now recollect to have been in existence six days ago? Yes.

Have you looked for it lately? Yes.

When? Yesterday, and the day before.

This note, which you did not recollect to have been in existence? It is true; could I have found it, I should have brought it.

I think you were examined just six days ago? Was it six; I really do not recollect the day.

Did you see that note the day of your last examination? It might be the day after, or the day, but I cannot recollect which.

You have done all you could within these few days to find it? I certainly have.

Are you quite sure you have not actually destroyed it? That I am very confident I have not.

Are you quite sure that you have not said you had destroyed it? No, never did I say that I had destroyed it to any body.

Did you not tell Colonel Hamilton that you had destroyed it? No. That you are positive of? That I am certain of.

Did Colonel Hamilton ever desire you not to destroy it? Colonel Hamilton desired me to speak every thing that I knew, and to shew every thing I had.

Did he not expressly desire you to copy that paper, and not to destroy it? He desired me not to destroy any paper I had.

Did he not expressly desire you not to destroy that paper? Certainly.

Did he not do that more than once? I am sure I do not know; I have not more than once conversed with him.

You had conversation with him at Portsmouth, had not you? Yes, but he did not know that I had this paper, for I hardly knew it myself.

Did not you tell him you had a paper which you might destroy if you pleased? No.

You are quite sure of that? Yes.

And that he did not advise you upon that occasion not to destroy it? If I had had any idea, I might have destroyed it without telling him; I told him, and he advised me not to destroy it.

Where was this? At Portsmouth.

Had he it at Portsmouth? I had not the paper with me at Portsmouth, I told him I thought there was a note in existence.

Upon that occasion he did advise you not to destroy it? He did advise me not to destroy it; he said, do not you destroy a single thing.

When was it that Colonel Hamilton took a copy of this paper? I believe it was the day after he came to town.

Do you recollect where you were when he took this copy? It was at the Coffee-house.

At what Coffee-house, in what part of the town? I think it is Southampton-row.

When Colonel Hamilton took this copy, did he again remark to you, that you should keep this paper, and not destroy it? He desired me not to destroy it.

Did he at no second time desire you not to destroy the paper? Certainly.

Did you see Colonel Hamilton again in the course of the same day? I rather think I did.

Where did you see him? I saw him at the British Coffee-house.

What did Colonel Hamilton say to you when you saw him at the British Coffee-house? It was upon regimental business I met him then.

There was no reference at all to this subject? Nothing to this, I do not recollect a word.

Do not you recollect that he did upon that occasion also desire you not to destroy the note? No, I do not recollect that.

Did he not give you some advice with respect to your conduct referable to these charges? The same advice that he had given me before.

Which was, that you should not destroy the paper? To speak all I knew, and not destroy the paper; but this was in the morning, not at the second time when I saw him at the British Coffee-house; we came into the street together, he went one way, and I another.

Then nothing passed between Colonel Hamilton and you upon the subject of these charges at the British Coffee-house? I do not recollect that there was.

Do not you recollect Colonel Hamilton advising you not to suffer yourself to be examined upon the subject before you came to the bar of the House? I believe not at that period; he told me, when I was speaking to him in the morning, you had better be quiet upon the subject, say nothing to any body upon the subject, but when you are called, speak what you know, and do not destroy the paper.

Do you not recollect, that at the British Coffee-house, Colonel Hamilton advised you not to submit to examination, but to speak the truth when you came here; and above all things, not to destroy that note? Not at the British Coffee-house.

Did he, at any place subsequent to your meeting with him at the Coffee-house in Southampton-row, in the course of that day? I do not think I have seen him more than three times since I have been in London, and he has been with his regiment at Croydon.

You did see him a second time that morning? At the British Coffee-house.

And upon the occasion of seeing him at that Coffee-house, or your going from that Coffee-house, did he not repeat this advice? I do not recollect that he did.

Do you not recollect stating to Colonel Hamilton that you would follow his advice, but that he would be very angry with you, for that since he had seen you last you had destroyed that paper? Never such a conversation took place between us.

Neither at that time or any other? No.

You never stated to Colonel Hamilton that you had destroyed that paper? No.

Did you tell Colonel Hamilton that there was another paper that you had shewn to Major Tonyn, when the promotion was gazetted? I had not another letter, I could not tell him that.

It does not follow that because you had not it, you could not tell him you had had it? I never had it.

Did you tell him you had had it? No.

You did not tell him you had had it, and given it to Major Tonyn? No.

When did you see this paper last? I think it is about five or six days ago.

Where? In my own room.

Have you seen it since you were examined last? No.

Are you sure of that? Sure of it.

You stated, just now, you had seen it either the day before, or the day after? That was the time I saw it.

Did any body else see it at that time? Not that I recollect.

Have you shewn it to any body else besides Colonel Hamilton since you have been in town? No.

Where did you put it when you saw it last? Among some other papers which I had in my bureau.

You are quite confident you have not got it now? I have mislaid it somewhere.

Did you carry it about with you in your pocket at any time? Never.

Was it with you when you were in Spain? No.

How came it to be with you in the Coffee-house in Southampton-row, if you never carried it about with you? To shew Colonel Hamilton.

Had you it with you when you were at the British Coffee-house? No.

Had you gone home between being at the Coffee-house in Southampton-row and coming to the British Coffee-house? Yes.

Where do you live? In Lyon's Inn.

You stated that Mrs. Clarke gave you the note in question? Yes.

Did you read the note when she gave it to you? I believe I did.

Was it a sealed note or an open note? An open note.

You stated that you had not the note with you abroad; where did you lodge before you went abroad? At Lyon's Inn.

Did you leave your papers at Lyon's Inn? Certainly.

The note you say was not a sealed note; to whom was it directed? I do not recollect that it had any address.

You surely must recollect when you read the note; did you read it when Mrs. Clarke delivered it to you? It is so long ago I do not recollect; it is five years ago nearly, and I cannot charge my memory whether I read it or not.

Were you not to receive some pecuniary consideration from some person or other on the gazetting of Major Tonyn? Not a farthing.

Why were you so anxious that Major Tonyn should wait a few days in hopes of his being gazetted? To oblige Mrs. Clarke, who wanted the money exceedingly.

Were you confident that he would be gazetted in a few days, from the influence of Mrs. Clarke? No; I doubted her influence very much then.

Can you, by any possibility, now produce the note? It is not about me.

Can you, by any possibility, now produce the note? If I can possibly find it, I will produce it.

Is it possible that you should find it? I have searched every where, and I cannot find it.

Is it possible that you should find it? I should hope it is possible.

What is the ground of that hope? Having put it among other papers in my bureau.

Is it then in the bureau? That I do not know.

Has any body access to that bureau but yourself? Now and then my wife.

Do you know that that note is now in the possession of your wife or any other person? Not to the best of my knowledge.

Have you given that note into the possession of any body to be kept? No.

Have you given it into the possession of any person to be handed to another person to be kept? No.

Is it or is it not destroyed? Not, to the best of my knowledge.

Have you given it to any person to be destroyed? Never, to the best of my knowledge; I have not destroyed it.

Do you know that it is destroyed? I am pretty clear that it is not destroyed.

If you are pretty clear that it is not destroyed, where did you put it when you last it had? Among some papers in my bureau.

Have you the key of that bureau now about you? No, I believe my wife has it.

What makes you so clear that it is not destroyed? Because I never desired it should be destroyed.

When you say you never desired it should be destroyed, that answer has reference to some other person to whom that desire must have been expressed, if you have desired it; whom do you mean when you refer to some other person, to whom such desire must have been expressed? I know of no other person in the business.

Then what do you mean by saying you never desired it should be destroyed? I was asked if I had desired it should be destroyed, and I said no.

You were asked whether it was destroyed? And I said, not by my desire.

You neither destroyed it yourself, nor desired any other person to destroy it? No.

Then it is in existence? I should hope it is.

You say that you put this paper into a bureau with other papers, when did you do that? I believe it was at the time, of course the last time I saw it, which might be five or six days ago.

How long was it before you were examined here before? I do not recollect.

In what room in your house is this bureau, in which you say you put it? It is in my sitting room; I have but one sitting-room.

Have you searched that bureau for it since? I have looked for it, but could not find it.

Have you examined the papers in that bureau, to see whether it is among them? I have a variety of papers, it may be among them; I have searched, but could not find it.

Do you mean to say you have searched in that bureau for it? Yes.

You have said that you saw this paper six days ago, was that the same paper which was given to you by Mrs. Clarke? I think it was.

Are you sure that it was? I am very certain that it was.

Did you read it six days ago? No.

If you did not read it six days ago, how are you sure it was the same paper you received from Mrs. Clarke? It is a remarkable piece of paper, and I could not forget it.

What was there remarkable in the paper but the writing on it? Dirty.

You have said that you saw the paper six days ago, and that you looked for it two days ago; where did you look for it two days ago? Where I had supposed I had put it, in the bureau.

You said that you left it six days ago with other papers in a bureau; when you looked two days ago, were the other papers there? I think they are.

And this paper was the only one then missing? It appeared so to me. Who had the key of your bureau, between this six days ago and this

two days ago? Sometimes myself, sometimes my wife, sometimes it is left in the bureau.

Do you think that if a messenger was sent with you now to your rooms, you could find the papers? I really do not know.

What do you believe? I really cannot tell; I looked two or three times for it, and I could not find it two days ago; it is mislaid in some place or other.

What reason had you, in the beginning of your evidence this night, for saying you did not believe such a paper had ever existed? It was a very unpleasant circumstance, and I would have wished to have forgotten it.

What circumstance do you mean was unpleasant? The whole of the business I thought unpleasant.

Why did you, having come to the bar of this house to disclose every thing else you knew upon the subject, think this circumstance particularly unpleasant? I did not think this circumstance particularly, but the whole of it, as I mentioned before, unpleasant.

When you shewed this note to Colonel Hamilton, and he took a copy of it, did you at that time read it? No, I did not.

When you first mentioned the note to Colonel Hamilton, how did you describe it? Speaking of the promotion of Major Tonyn, I said there was a note in my possession that mentioned something about his promotion.

By whom did you state that note to have been written? I cannot take upon me to say.

Can you take upon yourself to say you did not state it to have been written by the Duke of York? I never saw the Duke of York's hand-writing, and therefore I could not.

Can you take upon yourself to say you did not state it to have been written by the Duke of York? I certainly could not.

Did you? No, I did not.

Did you state it to have been written in the name of the Duke of York? No.

In whose name did you state it to have been written? I stated no name.

As you permitted Colonel Hamilton to take a copy of this note, did you yourself take a copy of it? No; having the original, there was no occasion.

Did you think this a note of any importance? No, I did not.

Was the copy Colonel Hamilton took of the note a correct copy? I do not know.

Did you read the copy which Colonel Hamilton took? No.

Was there any signature to the note? To the best of my recollection, none.

Did you know whose hand-writing it was? No.

Do you know Mrs. Clarke's hand-writing? Sometimes.

Was it in her hand-writing? I really cannot take upon me to say.

Did you ever see her write? Repeatedly.

Does Mrs. Clarke write in different hand-writings, or always in her own? I have repeatedly had notes from Mrs. Clarke, which have been written so differently, that I could not have supposed them to be the same person's writing.

Have you, either before or after you communicated this note to Colonel Hamilton, had any conversation or communication with any

person whatever respecting that note? Not to the best of my recollection.

Was any person present, six days ago, and two days ago, when you were searching for this note? No.

You are sure there was no person in the room at that time? No, except my wife, she might be in the room.

Had your wife and you any conversation upon this subject? Of course, a great deal, which we have every day.

Did she ever state to you she had destroyed the note? Never.

Did she ever state to you that she had delivered it to any other person? Never.

Did you ever desire her to take it out of the bureau? Never.

How was the copy taken? Colonel Hamilton copied it.

Was it compared with the original after it was copied? Not that I know of.

Where did you put it after it was copied? Into my pocket-book.

With other papers, or singly? Singly.

Did you go home from the coffee-house? Immediately.

How did you deposit it in the bureau? By putting it into the bureau.

Did you put it in a bundle with any other papers? Not that I recollect.

Endeavour to answer positively to questions within your own knowledge? I cannot recollect whether I did or not.

Have you searched all your bundles of papers as well as your loose papers? Generally speaking, I think I have.

How can you undertake to say, it is not in your bureau, if you have not searched all your papers? I think I have searched all my papers.

When you met Colonel Hamilton at the British Coffee-house, you say you did not tell him it was destroyed? Certainly not.

Did you say any thing to him about the note? I had no conversation with him upon the subject.

Then you did not say to him, that "they had forgot the note?" No, "they forgot it."

Any such words as that? No.

What is it makes this particular circumstance of the note so unpleasant to you? It is no further unpleasant than my losing the note; if I could find it I should produce it with the greatest pleasure.

Did not you say, that the reason for your not admitting that you knew of this note, at the beginning of this examination, was, that it was an unpleasant circumstance that you wished to forget? The whole of the business I conceive to be unpleasant, and I was very sorry that I had any thing to do with it.

What is there particularly unpleasant in the circumstance of this note? My having lost it or mislaid it.

How can the circumstance of your having lost it, induce you to deny your ever having had it? From the reason that it was unpleasant throughout the whole.

What is the unpleasantness you conceive in confessing you have lost it, if it be true? I should be very sorry that I had lost it, and I hope I shall find it.

What is the unpleasantness you conceive in confessing you have lost it, if it be true? That is the unpleasant part, that I have lost it.

What is the unpleasant part? That I have lost it.

How can the circumstance of your having lost it, induce you to deny

your ever having had it? From the reason that it was unpleasant throughout the whole.

Did you not deny, at the first part of your examination, that you had such a note? I conceived that I had not the note.

Were you asked whether you had not the note now, or whether such a note had ever been in existence? I was asked, in the first instance, whether the note was in existence, or whether a note was in existence, and I believe I doubted it; since which I have recollected it.

[The witness was directed to withdraw.

[It was moved and seconded, that Captain Huxley Sandon, in his examination before this Committee, has been guilty of gross prevarication; which being put, was carried *unanimously*.]

[The chairman was then directed to report this circumstance to the house, and ask leave to sit again.]

The Serjeant at Arms having taken Captain Huxley Sandon into custody, by order of the House, a request from him was communicated to the House, that he might be brought to the bar; which being done, he addressed the house as follows:

I most humbly hope that this honourable House will do me the honour of excusing my prevarication; and I beg to assure them it is not from a bad heart, but a confused head. I am exceedingly sorry I have done any thing to displease this honourable House. I come here to offer every thing in atonement I possibly can, and I hope the house will do me the honour to hear me.

Mr. Speaker. If the prisoner has more to offer to the House, this is his time.

Capt. Sandon. With regard to the evidence? Is it to the evidence I am to speak?

Mr. Speaker. You will offer to the House whatever you think becomes your case and situation.

Capt. Sandon. I beg pardon of the House for my prevarication, and I beg that the House will do me the honour to excuse my extraordinary behaviour; and will be assured, that all I have, and all I know now I certainly will relate. With regard to the note in question, it is not destroyed; I have it in my possession at my chambers; if it is required I can go and fetch it; I think I can put my hands upon it: the note that you were speaking of was given me to shew Major Tonyn, and to say that his promotion would not go on unless he paid the money. I took the note, and produced it to Major Tonyn, with that message. I shewed him the note, with what I mentioned before, desiring him to wait three or four days. I believe he said what I related to this honourable House before, that he would, in consequence of this note which I shewed him. I brought back the note, and I have it now in my possession. He was gazetted, and the 500*l.* was paid to Mrs. Clarke, and the 23*l.* to Mr. Donovan. If this honourable House would wish to see the note, I will go and fetch it. As to who wrote the note, I cannot take upon me to say: Mrs. Clarke told me it was written by the Duke of York.

Mr. Speaker. Does the prisoner desire to add more?

Capt. Sandon. I have nothing more to say relative to that; I only humbly hope the House will do me the honour of excusing me the prevarication I made use of.

[The prisoner was then taken from the bar; and the House determined that he should be sent in custody to his chambers to

fetch the papers; and that he should be brought before the Committee of the whole House whenever they should see fit.]
[After some time the Committee was resumed.]

Mrs. MARY ANN CLARKE was called in and examined by the Committee, as follows:

Do you recollect what passed between you and Captain Sandon in consequence of any application from Major Tonyn, expressing his impatience at the length of time that elapsed before he procured his appointment? No; I really do not know, although I have been reading Captain Sandon's evidence just now in the room I have been in.

Do you mean the evidence he gave on a former day when he was examined? Yes.

In the 5th number of the minutes? I believe it is one of the last that has been printed.

You do not recollect Captain Sandon's coming to you at all upon the subject? I recollect that Captain Sandon was employed by Major Tonyn; I am confident as to that.

Do you recollect Captain Sandon's at any time acquainting you with Major Tonyn's impatience upon the subject? No, I do not, although I have been reading about it.

You do not remember any representation having been made to you by Captain Sandon, that Major Tonyn intended to withdraw the deposit he had made, in consequence of delay? No, I do not recollect it; though he might have, perhaps, mentioned it.

Do you recollect having sent any message to Major Tonyn by Captain Sandon? I cannot recollect that I did; perhaps it is likely, but it is a long while since.

Do you recollect having sent any paper to Major Tonyn by Captain Sandon? What sort of paper.

Any paper? I could speak more positively if it was mentioned what sort of paper.

Any written paper? Of my own writing, or any other person's?

Any written paper? I do not recollect; I was always very cautious of giving any written paper out of my hands.

As far as you recollect, you have not sent any written paper to Major Tonyn? I do not think I did, but I cannot speak positively.

As you were so cautious in putting any paper out of your hands, would you not have recollected that circumstance if it had occurred? If he meant to insinuate that there was any writing of the Duke of York's, I never did in my life to any one.

You are quite sure you never committed any paper to Captain Sandon, which you represented as the writing of the Duke of York? I am quite certain, not to any one whatever, except lately, and once to Mr. Manners a few notes.

If you had sent such a paper by Captain Sandon to Major Tonyn, is it possible that you could have forgotten it? No, I should not have forgotten any thing of that sort belonging to the Duke of York.

Are you acquainted with Mrs. Hovenden? I was.

Do you recollect at any time having received a note from the Duke of York upon the subject of Major Tonyn? No, I do not; there was no occasion for any notes to pass, because I was in the habit of seeing

His Royal Highness every day, except he was in the country, and that happened perhaps only for a week or ten days in one year.

Did you ever hear Captain Sandon say, that he had shewn a note to Major Tonyn, which purported to be a note of his Royal Highness the Duke of York? No.

You are not aware of any note, purporting to be a note of the Duke of York, being shewn Major Tonyn by Captain Sandon? No, I am quite clear nothing of the sort was ever mentioned to me before.

Do you mean to state, that you did not give any note to Capt. Sandon which might appear to be a note of the Duke of York? No.

You stated that you sent some notes to Mr. Manners; do you mean to state that those were in the hand-writing of the Duke of York? Certainly I do.

Did you or did you not send any note to Captain Sandon? I never recollect sending him any note, but more especially any note of the Duke of York's, because I should have been afraid of entrusting it to him.

[The following questions and answers were read: "Q. As you were so cautious in putting any paper out of your hands, would you not have recollected that circumstance if it had occurred? A. If he meant to insinuate that there was any writing of the Duke of York's, I never did in my life to any one. Q. You are quite sure you never committed any paper to Capt. Sandon, which you represented as the writing of the Duke of York? A. I am quite certain not to any one; what, however, except lately, and once to Mr. Manners a few notes,]

How does it occur to you to think that Captain Sandon might have insinuated any such thing? Because I think he might have insinuated any thing; I think he is very equal to it.

If Captain Sandon has presented any note to Major Tonyn, purporting to be a note written by the Duke of York, and given to him by you, is it true? I do not think it is, and I am almost sure it is not; perhaps he has written one himself.

During the negotiation with Major Tonyn for the majority, was any representation made to you by Captain Sandon, that Major Tonyn was tired of waiting, and threatened to withdraw the money he had deposited? I do not recollect it.

Did you ever express to Captain Sandon a wish on your part that Major Tonyn would not be impatient, because you wanted the money which you were to receive upon his success? No, that would be the very reason I should wish him to be impatient.

In the last interview you had with Captain Sandon upon the subject of Major Tonyn, did he write any thing in your presence? It is impossible for me to say, it is so long since.

Do you recollect Captain Sandon having read any thing to you in that interview? No, I do not.

Do you recollect a paper being produced before you by Captain Sandon at that interview? I do not.

Did you ever express, here or any where else, that Major Tonyn was a shabby fellow, for his impatience in wishing to withdraw his note? No, I thought him a perfect gentleman when Mr. Denovan introduced him to me, and wished him to be made a lieutenant-colonel previous to his going to America; I fancy he is in America now.

Had Captain Sandon any and what interest in the success of this ne-

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negotiation respecting Major Tonym? Yes, I believe he effected it with me; there was no promotion in the 48th regiment, the Duke of York had stopped it, I think, for two years, and the Captain was very eager to get out of it on that account.

Was Captain Sandon to have any per centage or proportion of the profit arising from the success of the negotiation, and payment to be made upon Major Tonym's success in his application for promotion? I believe that he was, for I have understood from a great many persons, that Major Tonym was a very generous sort of man, and Captain Sandon would not have interested himself so much as he did for him without some reward.

Did you ever understand from Captain Sandon himself that he expected any such advantage? Yes, I did, and from every one that he mentioned to me.

Before you came to the bar of this House, had you any information of the substance of the examination of Captain Sandon before the Committee to-night? Not the least.

[The following Question and Answer were read. "Q. As you were so cautious in putting any paper out of your hands, would you not have recollected that circumstance if it had occurred? A. If he meant to insinuate that there was any writing of the Duke of York's, I never did in my life to any one."]

Why did you suppose that the person proposing that question meant to refer to any writing of the Duke of York? From what one of the gentlemen said to me.

Do you mean any question which has been put to you since you came to the bar? Certainly.

Which question? The questions from the Chancellor of the Exchequer.

Did you give Captain Sandon any part of the profit you were to receive from the promotion of Major Tonym? I do not recollect that I did, but he used to give himself, I believe, from Colonel French's money.

You did not give him any yourself? I do not recollect that I did.

You have said, that you understood from Captain Sandon, that he was to derive some profit from the promotion of Major Tonym; state what Captain Sandon said to you upon that subject. Only that my 500*l.* would be clear, and that where he had his from would be from the other party, what emolument he was to get by it.

Mr. REID being called in—

Mrs. Clarke.—Is there any precedent, may I ask, for having two witnesses at the bar of this House at one time?

Chairman.—I apprehend the Committee will call to the bar what witnesses they please.

Mr. JOHN REID was called in, and examined by the Committee, as follows:

Do you know the witness at the bar? Yes, I do.

Did she ever come to your house under the name of Mrs. Dowler? By no other name.

Is the witness at the bar the person whom you represented as having been frequently at your house with Mr. Dowler? Yes.

Mrs. Clarke.—Before Mr. Reid leaves the place, I beg leave to say, that I never said I was Mrs. Dowler; he might put what construction he thought proper upon it; it was very proper that he did, perhaps.

(*To Mr. Reid.*) Did she ever answer to the name of Mrs. Dowler in your presence? To my servants, I have no doubt that was her answer; upon all occasions whenever I spoke to her, I always, I suppose, said "Ma'am," but if I mentioned any name, it was Mrs. Dowler.

Did you ever hear her addressed as Mrs. Dowler in your presence? Yes, I have.

Did she answer to that address? Yes.

Did you ever hear her answer to the name of Clarke? I never heard her called by any other name but that of Mrs. Dowler; I never heard her called by the name of Clarke.

Did you believe her name to be Dowler? I had not a doubt of it.

And you believed her to be married to Mr. Dowler? I had not any doubt of that.

Did nothing ever occur to induce you to entertain a doubt of that? Never.

You always believed the witness at the bar to be Mrs. Dowler, and the wife of Mr. Dowler? Yes, I mentioned that before, and I mentioned a very particular circumstance why I thought so.

Have you ever heard Mrs. Clarke say that her name was Dowler? I never heard her mention her name at all.

Would you not have been afraid of the credit of your house if you had called her by any other name? Good God! I should not have thought of any thing of the kind.

Did any letters ever come to Mrs. Clarke by any name whatsoever, while she was at your house? Not to my knowledge; they never came under my inspection, they came to the bar.

By whom did you ever hear her called Mrs. Dowler? By all those that spoke to her there; when they came to my house, if they asked for her at all, they asked for Mrs. Dowler.

Did Mr. Dowler ever call her Mrs. Dowler in your presence? Upon my word I could not take upon me to swear it, but I always understood it to be so, and I never had any doubt about it.

By whom did you understand it to be so? By Mr. Dowler himself, calling her Mrs. Dowler.

Did Mr. Dowler and that lady always come there together? No.

Did Mr. Dowler lodge there at any time? Yes.

And that lady came occasionally? Yes.

Mrs. Clarke.—That was when the bailiffs were after me.

(*To Mr. Reid.*) Were there many inquiries made at your house in the name of Mrs. Dowler? I seldom answer any inquiries at all, I leave my wife to do it; and it is the business of the bar-maid.

[Mr. Reid was directed to withdraw.]

Mrs. Clarke.—May I speak a word; I merely wish to ask a question of some of the Crown Lawyers.

[The Chairman informed the witness that could not be permitted.]

(*To Mrs. Clarke.*) Do you know Mrs. Hovenenden? Yes, I do.

Was it at the period of time when she was under the protection of Mr. Dowler, brother to the Mr. Dowler who has been examined at the bar? He has no brother.

Were you in the habits of visiting the Taylor family when they lived at Bayswater? Yes.

PAGE 16.] MRS. CORRI'S EXAMINATION.

Do you know Mrs. Taylor very well? Yes.
 Do you know Mr. Taylor? Yes.
 Did you know there was a Mr. Taylor? Yes, Miss Taylor's father.
 Did you ever see Mrs. Taylor write? No, I cannot say that I did.
 You never have been in the habits of corresponding with her? No, only with Miss Taylor, and Mr. Dowler does not know Mrs. Herenden.

Do you know a Mr. Chiffes, a stock-broker? No, I do not.
 Do not you know that the Mr. Taylor you speak of was Mr. Chapeot? No, I know he is not; I know he is Mr. Taylor.

Do you recollect a circumstance about two or three years ago, of the Miss Taylor who was examined at this bar, being about to be married to a Mr. Knowles? No, I do not; I know there was a young man paid his addresses to her, I believe a physician, but I do not know that there was any marriage intended; I fancied she had not liked him.

Do you not know that did not go on on account of her name not being Taylor? No, I do not, for I know her name is Taylor, and she has five brothers in his Majesty's service, who bear the same name, three in the army, and two in the navy.

Do you know the age of Miss Taylor? No.
 Do you suppose her more than five or six and twenty? I cannot tell any thing about her age.

Do you know that Mrs. Taylor is a widow, and not a married woman? No, I do not, because I know her husband.

Did you keep a man cook at the time you lived in Gloucester-place? Yes.

Did you keep more than one? The man generally used to bring his assistant with him; it is a regular thing that when you have a man cook, that an assistant comes with him.

You did not keep a man cook by the year? No, they staid a very short time with me, any one; his Royal Highness is very difficult.

[The witness was directed to withdraw.]

GWYLLYM LLOYD WARDLE, Esq. was examined in his place, as follows:

Have you placed upon the table of this Committee all the correspondence you have had with Mrs. Clarke, relative to the accusations you have brought forward? No, certainly not.

Have you any objection so to do? Yes, most assuredly, I have a very great objection.

Have you any objection to lay upon the table all those letters which you took from Mrs. Clarke? Those letters are already all laid upon the table; I do assure the honourable gentleman, I do not know that I have a letter of Mrs. Clarke's at this moment by me.

Mrs. ALICE CORRI was called in, and examined by the Committee, as follows:

Are you married to Mr. Corri, the music-master? Yes.
 How long have you been married? As near as I can recollect, five years next April.

Do you know Mrs. Clarke? Yes.
 Do you recollect a conversation that passed between Mrs. Clarke and your husband, yourself being present, with regard to certain papers which Mrs. Clarke expressed great anxiety to have burnt? Very little.

THE PARLIAMENTARY REGISTER. [CON.]

Relate what passed upon that occasion, as far as you recollect. I recollect Mrs. Clarke telling Mr. Corri she was just going to him; that he came very apropos, for that there had been something satirically inserted in the newspapers; something relative to a female Clerk; I cannot recollect the whole of it, not thinking that I should be called here; and she begged, if there were any letters, Mr. Corri would immediately burn them.

Were you employed in burning them? Yes, Mr. Corri gave them to me.

Did you actually destroy them all? Not then; I did not destroy any of them at the time; I laid them in a box, and never thought of them till just before this proceeding began; I think last Saturday fortnight or three weeks, Mr. Anthony Corri, son of Mr. Corri, brought a newspaper to us, stating that his father would be called to the House of Commons; it immediately then came to my mind, that I had those letters by me, and he advised me to burn them; and he said, I had better not say any thing either to his father or any body else, but to burn them; which I did two days afterwards.

What motive did Mrs. Clarke assign for wishing to have those letters destroyed? I really do not know; I cannot say; I do not recollect it.

Did she not express a fear with respect to the Duke of York? I have something faint on my memory, but I could not say it positively; for the conversation was directed to Mr. Corri, and I overheard a word or two; I never thought of being called here, and therefore did not pay particular attention to it; I have a very faint idea, but cannot recollect exactly.

Did any thing pass as to the apprehension of the Duke's anger? I have some recollection, but I cannot positively say; it was something of the kind.

Did you ever peruse the letters that were in your possession? I looked them slightly over before I burnt them.

Are you sufficiently acquainted with the contents of the letters to speak positively as to the subject? I cannot recollect one word that was in them, for I was in a very great hurry, and very much afraid lest Mr. Corri should know that I had disobeyed his command in not burning the letters sooner; and I burnt them as quick as possible.

[The witness was directed to withdraw.]

Captain HUXLEY SANDON being brought in, in the custody of the Serjeant at Arms, was examined by the Committee, as follows:

Have you found the paper? I have.

Have you got it with you? The messenger has it, and every other paper that I had that was connected with it.

GEORGE WHITTAM, Esq. was examined by the Committee, as follows:

Where did you find this paper? I found this letter in Captain Sandon's bureau; this is the letter, I understand, I was sent in search of particularly.

Have you any other paper? There were two other letters of Mrs. Clarke's in the bureau, which Captain Sandon put into my hands.

Any other letters any where else? There is a bundle of letters in Mrs. Clarke's principal; they were in this brown paper, and in Captain Sandon's bed-room; they were taken out of the paper, and I sealed them up.

[Mr. Whittam was directed to withdraw.

[To Captain Sandon.] Look at that paper, and see whether it is the paper you shewed to Major Tonnyn? I think it is.

Is that the paper you received from Mrs. Clarke? Yes, it is.

You received it from her own hands? Yes, she gave it me.

Was any one present at the time? I believe not.

[The note was read.]

I have just received your note, and Tonnyn's business shall remain as it is. God bless you.

Addressed, George Farquhar, Esq.

Did not Colonel Hamilton give you the advice which he had given you before, either at the British Coffee-house, or in the street near the British Coffee-house, on your meeting on the Saturday? I do not recollect that he mentioned any thing in the street; in the Coffee-house he could not, for there were others in the same box; he said, will you come out, and we went out.

Did he not when you went out? We went out together.

In the street did he not say something to you upon the subject? I do not recollect it.

Did he not desire you not to destroy the papers, and did you not say that he would be very angry with you, for that you had destroyed it? Never to my recollection.

What are the other papers which you have given in? They are letters from Mrs. Clarke to me.

Are they on the subject of Major Tonnyn's business? Not precisely upon Major Tonnyn's business; upon the levy, and Major Tonnyn's business.

What is the reason you denied having possession of this letter? I can urge nothing upon my behalf; and I hope this honourable House will do me the favour to excuse it.

Were you directed by any person to do so? No.

What motive had you for so doing? I had no motive whatever; I am ashamed of myself for my conduct; I could have done.

When you delivered that letter to Major Tonnyn, did you deliver it open or sealed? It was open.

You have stated that you considered this to be a paper of no importance; if you considered it to be a paper of no importance, assign any possible motive you could have for taking so much pains to conceal its existence? I can urge nothing.

You must perceive there is a great deal of difference between being able to urge an excuse, and being able to assign a reason; you are not desired to give an excuse, but to assign any probable reason, because it appears that some reason you must have had? I can urge no reason whatever for it.

Were not you conscious that you were telling a falsehood? I have already acknowledged that I am ashamed of what I have done.

Then do you expect the Committee to believe that you came hither and told a falsehood deliberately, which you knew to be such at the

time, without having any motive for so doing? I had no motive, whatever for doing so, but I again beg the House to do me the favour to excuse me for telling them that falsehood.

When Mrs. Clarke gave you that letter, did she tell you it was written by His Royal Highness the Duke of York? I do not exactly recollect whether she said it was written by him, but she said it came from him.

Do you know the hand-writing of the Duke of York? I never saw it in my life, to my recollection.

Did Mrs. Clarke at any time express any anxiety to recover the letter she had intrusted to you? No, she never mentioned it, and I never heard any thing more about it.

Are you acquainted with the hand-writing of Mrs. Clarke? Yes.

Does it appear to you that the note in question is the hand-writing of Mrs. Clarke? No, it does not.

Have you had any communication with any other person on the subject of the production or non-production of that letter in this place? None.

Who is George Farquhar, Esq. to whom the letter is directed? I really have no knowledge who he is.

You stated before, that Mrs. Clarke was used to write in different hands, do you now assert that? In the letters that are there you will find a vast variation in the hand.

Did you ever see Mrs. Clarke write? Repeatedly.

Should you know her hand-writing if you saw it? Yes, I think I should.

Do you or do you not know who wrote that letter? No, I really do not.

In the course of your long acquaintance with Mrs. Clarke, and your communication with her upon business, did she ever, upon any other occasion, communicate to you a note from the Duke of York? Never.

She never communicated a note from the Duke of York on any business but this? Never.

Can you recollect what she said upon communicating this note, whether it was communicated with any caution to take care of it, or not to communicate it to others? No, I cannot recollect any thing of the circumstances.

Did Mrs. Clarke, or any other person, ever desire you to destroy the letter in question? Never.

You have stated that you have seen Mrs. Clarke write different hands, do you ever see her write different hands? No.

Then what do you mean to say she writes in various hands? In the letters addressed to me, which are now before the House, there is a variety in the hands.

[The witness was taken from the bar.]

Mrs. MARY ANN CLARKE was called in; and the note delivered in by the last witness being shewn to her, she was examined by the Committee, as follows:

Do you recollect ever seeing that paper before? I suppose I must have seen it before, for it is His Royal Highness's writing.

What reason have you to suppose you have seen it before? I do not know how it could have got into that man's possession unless I gave

it to him; and it was a direction I used very often to get from his Honour, "George Farquhar, Esq."

Do you now recollect having given to Captain Sanborn a letter upon this subject? No, I do not, nor do I recollect giving him that; but I think I must have given it to him, because it must have been in my possession first.

Do you always write the same kind of hand? I cannot exactly say how I write, I generally write in a great hurry.

(Two bills being shewn to the witness.)—Those are the two bills for which Captain Thompson was arrested the other day.

Are they both your hand-writing? Yes, guiding my mother's hand; they were both before the court-martial.

Were they both, guiding your mother's hand? If you will read the minutes of the court-martial, you will see.

Were they both, guiding your mother's hand? Yes, I think they were.

Did your mother hold the pen, and you guide her hand, when you wrote both those? It was the general way in which I had done with her, for these four years.

Did you in point of fact, on that occasion, guide your mother's hand when she held the pen? Yes, I did.

And in both of them? Yes, I believe I did; it has quite her sanction.

I do not ask whether you had the authority of your mother to draw these bills in your mother's name, but whether you can now recollect that your mother held the pen while you guided her hand in writing both those drafts? What would be the insinuation if she did not?

You must answer the question. Then I must answer to the best of my recollection: my mother was in the room at each time, and Mr. Manners; you think, perhaps, there is a difference in the hand-writing.

You must answer the question. I am not quite positive, but I dare say I did, for I knew she was privy to both, and was in the room when both were done; but there was something irregular on the back about the indorsement; perhaps you wish to make it appear a forgery.

I do not aim at any such object, but wish to know whether you can take upon yourself to state that those bills were both written with your mother's hand, you guiding it? I am positive as to one.

Which? I cannot say which; if I had at all been terrified about the bills from any thing improper in them, I should have got them out of the way.

Do you write the same kind of hand when you are guiding your mother's hand as when you write your own? Very nearly, only that I do not write so quick when I am with her; I have done it five hundred times; she cannot write without a guide, not lately; it must be my own writing, because she has very little use of her hand, therefore it is my writing, and not her's.

Does not the fact of your having your mother's hand in your own, while guiding the pen, make a difference in the appearance of the letters? It is very likely that it may, I never attended to it; it has generally been something short where her hand was used, such as signing her name, or half a dozen words.

Look at these, and see if both are not written in that way with the

same hand? I really cannot say; I do not see much difference between them; I should rather think this one was the one, if it was either; if I did write it alone, this dated July, that is the quickest writing, it seems as if it was done quicker than the other.

Do you mean to say you do not see much difference between the writing of those two notes? It does not strike me there is a great deal of difference; I have seen the notes before, and I believe made nearly the same observations; and if I was at all conscious of any thing improper in them, I certainly should have paid them before, for I dare say I have had it in my power.

Do you ever write different hands? No, I do not know that I do; I do not pay any attention to it; other people are the best judges.

Is the indorsement of the note that is indorsed, in your hand-writing? No, it was done the same; my mother was by, and I guided her hand.

That is guided too? Yes, it is upon the same bill, and Mr. Manners was by both times, and I believe he was not much better acquainted with the bill drawing up than ourselves, which made some thing incorrect here; nor was Captain Thompson, to whom he gave them as paymaster.

Have you ever imitated other hand-writing? No; you do not mean that I imitated the Duke of York's?

Have you ever imitated any hand-writing? No, not to make any use of it; I might, with two or three women, laughing, or any thing in that way, imitate a hand, but not to make any use of it whatever, not to send it out ever.

You have done it, to see whether you could do it? I do not know that I have done it, but it is very often, when women are writing, that they might say, come, you write a hand, and see whether it is like any one's hand; I have done it lately; several of us were sitting together, and we were playing at some kind of game; perhaps there might be some bad construction put upon that.

What have you done? I have said, 'is not this like such a sort of hand,' and, 'that like such a sort of hand.'

What sort of hands were you imitating; at that time, when you asked, 'whether it was like this sort of hand' or 'that sort of hand?' I do not know; it is very ridiculous to mention here I think. There is a game you play at, you put down a man's name and then a woman's, and where they are, and what they are doing, and then make a long roll of it.

Is it a part of the game to imitate the hand-writing of the man whose name you put down? No, but it is very likely when you have written a man's name to say, 'it is very like the way in which he writes it himself'; or when speaking of a woman, 'it is very like the way in which she writes her's,' if they should be friends whom you name.

Is it any part of the skill in that game to write the name as nearly resembling the hand-writing of the person whose name it is as possible? No, I should think not; I wrote, without knowing it, something in the office here, that I was told was very like the writing of a person here.

Whose writing did they say it was like? They said it was like the Speaker's hand.

Is there any other person's hand-writing that you have resembled? It was accident, I never saw his writing.

Have you never told any body that you could imitate the hand-writing of any one? No, I do not recollect that I have; there was a story went about that I had forged for 2000*l*. with the Duke of York's signature, "Frederick," but I never did, I never signed his name in my life, except when he has been there, and we have been trying together, how near I could write to him; and he to me.

You have tried sometimes to see how near you could write to the Duke of York? Yes, but I never did it but when he was by.

Could you write very near when you tried? I do not know, he is the best judge of that; I believe if he was asked, he would not say I had ever made use of his name in any writing.

In point of fact, when you did attempt to write like him, did you succeed? I am sure I cannot tell.

You know his hand-writing? Yes, he fancied it was a great deal like his signed Frederick; that was all I ever attempted about it.

Do you know a person of the name of Town? Yes, I do, a velvet painter.

Did he ever instruct you in velvet painting? Yes, he did.

Do not you recollect having told him, that you thought you probably might make considerable proficiency in that art, as you made great proficiency in writing, and copying hand-writings? No, I never told him any such thing; you will recollect he is a Jew: it is ridiculous.

You are quite sure you never said any such thing? No, I should never have said such a thing to such a man.

Did you ever write in his presence? I do not know; he used to be with me a good deal in the morning, when I was learning the velvet painting, and it is very probable I might have been writing to many persons when he was there; besides he was to have got a loan for the Duke of York from Jew King, but his Royal Highness would not have any thing to do with him when he found they were Jews, when Town went to him, but I do not know that it was Jew King at the time; he told me it was a regular gentleman.

Did you ever, in a playing way, attempt to imitate the hand-writing of the Duke of York? I do not think I did to him.

Not to Mr. Town? No.

Have you to any one else? I do not think I have, but he has seen great many ladies, when he has been with me in a morning, and if he listened to any of our conversations, and made remarks upon it three or four years afterwards, I cannot say any thing to such a thing; the only question is, to ascertain whether I ever did make use of the Duke of York's name; if I had I am sure it would have been against me long before this; perhaps he might have stolen something that might have been lying about the house.

That Town might? Yes, he might very likely.

Some of this writing, perhaps? He might have taken papers away perhaps, and thought they might have been the Duke of York's; I believe he had a note of introduction from me to the Duke before he had seen those people about the money.

Did you, in his presence, ever imitate any other person's hand-

writing but the Duke's? I do not know that I ever did at all in his presence.

But he may have been in the room when you did this with other ladies, and have overheard you? Perhaps he might; he has been there three or four hours of a morning.

He may have been in the room when you were with other ladies, and have overheard the conversation which passed between yourself and your visitors? Perhaps he might; I did not stick to the painting, and perhaps in the morning persons might call upon me.

[The note being again shewn to the witness.]

Look at the seal of that note; do you know that seal? It is the Duke of York's private seal; I dare say I have many like it at home.

What is the inscription upon it? Never absent.

Is the motto in French or English? In French.

Who is George Farquhar? There is no such person in existence, I believe; it was one of my brothers; I lost two in the navy, and that was one of them.

You do not recollect to have received that letter which you state to be in the hand-writing of the Duke of York? No, but I must have received it because it is addressed to me, and it is his Royal Highness's writing; I do not think he ever wrote to any other person under the name of George Farquhar but me.

Do you recollect having applied at any time to his Royal Highness, to suspend the promotion of Major Town? I do not recollect that I did, it is a long while ago; if it is meant that I wrote that note of his Royal Highness's, I dare say he will not deny it, if it is shewn to him; I have seals that will exactly match with it on other letters of his own.

Do you recollect any application to his Royal Highness which could have given rise to an answer similar to that contained in the note which has been read? No, I do not recollect any thing about it.

You do not understand to what the contents of that note allude? No, I do not; for I have quite forgotten it; I think Captain Sandon must have taken it out of the house without my permission.

Did his Royal Highness at any time leave that private seal in your possession? No; he has that and another that he used to use.

You said that you had several impressions of the same seal in your possession; are those impressions unbroken? No, certainly not.

Are you positive you have no impression of the Duke's seal unbroken in your possession? I do not know; I should rather think not; I was always inclined to read what he sent to me.

Are you positive that you have not any impression of the Duke's seal unbroken in your possession? Do you mean if I had torn the letter, and not broken the seal?

It is not necessary to break the seal to open the letter? I dare say I have many not broken, that you might very easily distinguish to be the same seal as that.

Did the Duke wear this seal to his watch? I do not know, I am sure. I believe not.

Is the reason you have for guiding your mother's hand when she writes, your mother's hand being so unsteady that she cannot write without somebody guiding her hand? Yes; she cannot hold her hand steady at all.

You believe that one of those bills was written by your mother holding the pen, and you guiding her hand? I guided altogether entirely; in fact, it is my own writing entirely whenever I make use of her hand. The whole body of the bill as well as the signature? Yes; it is my writing more than my mother's.

She held the pen and you guided her hand? I do not know whether she held the pen; but I am in the habit of doing these sort of things, when I want my mother's name, but I never did any thing without her sanction at all.

That is not the question at all. I do not know what you might insinuate; the bills have been already before the court martial, and I dare say they made as many observations as possible upon them, and if I had been at all alarmed I should not have allowed them to continue so long; but I believe this has nothing to do with the question before the House.

Do you wish this Committee to understand that you wrote these bills, of your mother? You may say I wrote them.

And her hand was not guided by you? If her hand is in mine, and I guide, I write it, and not her.

When you guide your mother's hand, your mother has the pen in her hand, has she not? Yes.

And you only move her hand and guide it? How do you know but what I move the pen; if she takes the pen up, I should take it down lower perhaps.

I do not know it, I wish to know it. Then you shall see us write at any time.

Did you hold the pen or not? I forget; there are the bills, and I forget all about them.

Then you holding the pen, you wish the Committee to understand that in so far you wrote both these? As you please.

[The chairman directed the witness to answer the question.

I have answered it; that is all difference of opinion.

Then you holding the pen, you wish the Committee to understand, that in so far you wrote both these? I fancy I said I did not write them both.

Did you in point of fact write them both, or only one, and did your mother write the other? I tell you it is impossible for her to write.

To what do you ascribe the marked difference in the hand-writing of these two bills? They do not strike me as being very different, but I certainly cannot write so very quick when I am writing with my mother's hand as with my own.

Do you mean to say you do not see any difference in the hand-writing and signature of these two bills? No, if you were to see the difference in my letters; if you see a dozen of my letters, you will see them all different; you would see a difference in each.

If you guide your mother's hand, that hand being so unsteady, must there not be some unsteadiness in what is written under that guidance? No, it is entirely my own writing, although I guide her hand.

Then both these bills are entirely your hand-writing? If you please to understand that, you may; but I had the use of my mother's hand, and they are my writing then.

You have stated the signature to the bill of the 20th of May, signed "E. Farquhar," was your mother's writing, under your guidance of her hand, and that that explains the difference in the hand to the sig-

nature of the two bills? I did not say I explained the difference in the writing.

You have stated, that the indorsement of the bill which is indorsed was made by your mother, you guiding her hand? Yes.

Look at the bills again. It is no use looking at them, I have looked at them before.

Look at them again; look at the signature of the bill of the 30th of May, and at the signature of the bill of the 15th July, and at the endorsement of that bill, and endeavour to state, if you can, whether they are all written by the same hand? They are all written by the same hand, because they are written by mine and by my mother's.

Can you give no other explanation of the difference in the appearance in that writing? No, I cannot.

Did Major Tonyn lodge in the hands of a third person 500 guineas, 500*l.* of which, after he was gazetted, went to yourself, and 25*l.* to Mr. Donovan? I did not state any such thing, for I did not know what Mr. Donovan had; I only stated what I had myself.

What had you yourself? What I said before.

Was that 500*l.*? Yes.

Was it not natural for you, as you knew you were to receive 500*l.* to hurry the gazettement of Major Tonyn as much as you could? Not if there were any circumstances against it.

Did you not wish that Major Tonyn should be gazetted, in order that you might get the 500*l.*? In the end I did.

If you had written any letters to the Duke of York on the subject, with that wish in your mind, would it not have been a letter to urge the gazettement of Major Tonyn? I do not recollect writing him any letter, nor do I recollect having any answer about it in writing.

If you had written to the Duke of York upon the subject, would you not have been more likely to have written to hasten the gazettement of Major Tonyn than to delay it? I do not know.

[The witness was directed to withdraw.]

The Chancellor of the Exchequer said, that notwithstanding Captain Sandon, by producing the paper in question, as well as others which might bear on the present subject of investigation, had certainly made some atonement, which might be the subject of future consideration with the committee; yet he could not think, in a case of such flagrant prevarication as he had been guilty of, he should be allowed to escape without a severe notice of his crime in the first instance. He would therefore move, that for the gross prevarication of which he had been guilty, Captain Huxley Sandon should be committed to Newgate, which was ordered accordingly.

The Chancellor of the Exchequer then proceeded to state, that it would be impossible to close the inquiry in that sitting, because he would wish to bring proof such as could be relied on as to that letter being or not being the hand-writing of the Duke of York, and that could not

his door till to-morrow. When he opened the case of the suppression of evidence, it was under an impression that the letter was destroyed, and he could not therefore think it necessary to summon Colonel Gordon, who was the person most likely to prove the Duke of York's hand in the most satisfactory manner. He was also of opinion, that the Committee could not with propriety, during the present sitting, take into their consideration the papers found in Captain Sandon's bureau, some of which he owned bore upon the inquiry now before them. He would propose, therefore, that a select committee, similar to that which was formed the other night, should be appointed to inspect those papers now brought to light, and report to the House such of them as in their opinion bore upon the present investigation. That committee might sit this morning, and make their report in the evening to the Committee of the whole House, who would immediately go into the consideration of it.

He moved, therefore, that a select committee be appointed to inspect the said papers, and to report to the Committee of the whole House, whether any part of them were relevant to the matter of this inquiry.—Ordered.

The same five gentlemen were then named, as were the former committee, and three to be a quorum.

Mr. Wharton brought up the minutes of the proceedings of yesterday's committee, which were ordered to be printed.

REPORT.

The select committee, appointed to inspect certain letters, which have been delivered in to the Committee of the whole House, appointed to investigate the conduct of his Royal Highness the Duke of York, the Commander in Chief, with regard to promotions, exchanges, and appointments to commissions in the army, and staff of the army, and in raising levies for the army; and to report to the House such of them, or such parts of them, as may be relevant to the matters referred to the consideration of the said Committee of the whole House—have agreed to report as follows:

Your Committee have inspected the several letters referred to them by the House; and are of opinion, that all the said letters may be relevant to the matters in question.

The said letters are as follow :

1. " Sir,
" 11, Holles-street, Cavendish-square, July 2d, 1806.
- " Perhaps you may have forgotten there was such a person in ex-

intense as the writer? I have been in the country for a year and a half, and I am but just returned from it, so remain in town; and I should feel myself particularly obliged if you will favour me with your friend Colonel French's address, or his agent in the inn, in Holborn, which has slipped my memory—Pray forgive the trouble, and believe me your most obedient,

"MARY ANN CLARKE.

"Captain Sandon, Royal Waggon Drivers."

2 JL "14, Bedford-place, Russell-square, July 23.

"Dear Sir,

"On Saturday I was favoured with your answer, but as I have removed from Holles-street to this place, to save you the trouble of calling there, these lines are addressed you. I am now with my mother, and I fear for the whole of the summer. I did not want any thing of French but to ask a question. I am, Dear Sir,

"Your obliged, &c. &c.

"MARY ANN CLARKE.

"Captain Sandon, Royal Waggon Train."

Two penny post unpaid Tottenham C R.

3. "Mrs. Clarke will be glad of a call from Captain Sandon, if he is returned to town, to-day or to-morrow.

"Gloucester-place, Friday,

"Colonel Sandon, Bridge-street, Westminster."

4. "I am thoroughly convinced of the money being too trifling, and I have mentioned it to a person who knows the full value of those things, so you may tell Bacon and Spedding they must give each of them more two hundred, and the Captains must give me fifty each more. I am now offered eleven hundred for an old officer.

"M. A. C.

"I must have an answer this evening to this, as I am to speak with him on it. I have mentioned as your being concerned for me. I go to the Little Theatre this evening.

"1804. Colonel Sandon."

5. "Will you, my good Sir, drop me a line Monday morning, saying if you have been able to influence any person who is with Pitt, to attend the house on Monday to give his vote.

"I have this morning received the inclosed from Corri, and where he marks under he alludes to your business, and as I know he is a story teller, I send you his letter. I am, Sir, &c.

"M. A. CLARKE.

"Col. Sandon, No. 15, Bridge-street, Westminster Bridge.

"Pitt's Motion, &c. Corri—complaint."

6. "DEAR SIR,

"He will do it—so let the proposals be sent in by when he gets to town, which will be as soon as you get this, for one thousand at first.—The duke of Cambridge has already four thousand. You have not any occasion to be very particular as to their being Protestants, for I don't think it of any consequence to him!!! I think you had better attend him on Tuesday, to ask his opinion of the papers sent in

on *Saturday*, as I told him I had seen the proposals, which you intended to alter and leave that evening.—Pray when you go put on a nice pair of boots, and let it be about half-past 3.

“Adieu—burn this.”

“*Mrs. Clarke’s Letter, relative to German Levy.*”

7. “Can you give me a call to-day about one or two, or about five? I wish to see you much. Tell Spedding to write in for what he wants, as the D. says that is much the best. Can you get half a dozen or so that wants interest? I want money, which is more imperious, this is what I want to see you upon, so you had better see Gilpin first.

“What is become of Bacon?”

“Colonel Sandon.

“Interest and money.”

8. “Dear Sir,

“Pray do something for me as soon as possible; the Duke told me this morning that you must get on faster with your men, he has written to town for that purpose. You had better send me the exact number of all you have sent, and I will shew it him.

“COLONEL SANDON.

“*He complains of the slowness of Recruiting the Levy.*”

9. “I send this by a servant to Hampton hoping you will get it sooner.

“Dear Sir,

“*Thursday Morning.*”

“The Duke has neither seen General Tonyn nor his son—his son he does not know, and it is six months since he saw the General. He has ordered him to be gazetted, and is fearful it will be done ere he can stop it—he will be at the office to-morrow, and if not too late will stop it. He assured me it was entirely owing to me that he thought to do

Aslett and Bligh

the best by putting him where two others Majors have left a and he would of course be two steps higher.

“I hope to see you to-morrow, when you will be able to give me the answer from Tonyn; shall be in town about 5.

“The King and all the Family are coming to visit the Duke, being his birth-day!!! Full of compliment, you see.

“12 o’Clock, 17th August, 1804.

“Colonel Sandon,

“No. 15, Bridge-street, Westminster Bridge, London.

“12 o’Clock

August 17, 1804.

Noon.

“Two Penny

POST

Twickenham.

10. “Mrs. Clarke’s compliments await Col. Sandon, thinks it best for him not to come to her box this evening, as Greenwood goes with both the Dukes this evening, and of course will watch where your eyes direct now and then; and should he see and know Col. S——, may make some remark by saying or talking of the Levy business, and it may be hurtful to his and Mrs. C’s future interest.

“9th Oct. 1804. See Richard Cœur de Lion.

“Col. Sandon, No. 8. Lyon’s Inn.”

11. "Dear Sir,
"Cap'tn Tonym cannot be made this month, as I expected; the D. tells me it will be at least three weeks, he having so much to do in reviewing; and there are some other promotions now to take place—however the thing is done.

"The little boy will be attended to. On Monday I shall go to Vauxhall with a party, when perhaps I shall have the pleasure of seeing you; it is the only night this summer I shall have the opportunity, as on that night he is obliged to attend the House of Lords, as they expect a great fight on Pitt's Motion.—I shall at some time take an opportunity of mentioning your majority. I asked him what he thought of you? A d--- clever fellow—You are to have the bounty that Pitt is to give to the line, so that every thing goes on well.—I told him I should see you at Vauxhall on Monday.—I am now at the end of my paper, so shall say adieu.

"He says General Tonym is a stupid old fellow. M. A. C.

"Relative to the majority and advance of bounty.

"Colonel Sandon, No. 15, Bridge-street, Westminster Bridge."

"Weybridge, Friday Noon.

12. "Dear Sir,

"Begin this

"I have mentioned the majority to the D., he is very agreeable to it—it is the nephew of the Gen'l; his son purchased a company last week—Do you think it at all possible to oblige me on Monday with one hundred. I shall be in town Sunday. If I had had the pleasure of seeing you at the races, I intended to have pointed you out to the D.—If you are in town, you will have the goodness to send a line in answer. It will oblige much your most

"Obedt. M. A. C."

4

ESHER

C
RUN 9
1804.

"Colonel Sandon, 16, Majority,
"No. 15, Bridge-street, June 6th, 1804.
"Westminster Bridge, London."

13.

"Thursday,

"I'll tell you, Colonel French, you can materially serve me, by giving me a bill for two hundred, for two months or ten weeks.

"I shall at all times be happy to serve you in any way. I like Capt. Sandon extremely, I suppose he is the managing person?

"Drop me a line in answer.

"M. A. C.

"1st Letter from Mrs. Clarke."

14. "Mrs. Clarke's compliments attend on Colonel Sandon, will be glad to see him to-morrow from eleven till one.

"Thursday, Feb. 28."

Two Penny
POST
Coventry St.

"Colonel Sandon, 2.
"No. 8, Lyon's Inn,
"Wych Street."

15.

"My Dear Sir,

"I am vexed to death, you will know the state of my finances, and I hit upon Spedding for Tuesday, when, behold, the regt. he is in, did their exercise so bad that the Duke swore at them very much, and has stopped the promotion of every one in it! He said so much to the Col. Wemyss, (I think) that if he had been a gentleman he would

have given up—but he intends looking over the memorial to-day, as S. has not been long in that reg. and he is an old officer. So that you see if he gets his promotion, how very much he ought to be indebted to my good office. I must beg hard for him, the Duke is very angry with you; for when he last saw you, you promised him 300 Foreigners, and you have not produced one.—O, yes, master Sandon is a proty fellow to depend on. I wish I had hit upon Eustace first. I told you, I believe, that they must be done gradually, his clerks are so cunning. Get Spedding to write out a list of his services, and send it to me as a private thing to shew him, not addressed to any one.—Adieu."

16. "Dear Sir,

"I asked this morning if he had himself read those papers I gave him of the Col's., he said that he had; but that he still asked so much more than other men, that he could not think of closing with him: However let him send again, as perhaps he forgets his papers in his hurry, especially as he had those at home.

"I cannot do myself the pleasure of being [torn]

17. "Dear Sir,

"I shall esteem it a favor if you will make immediate inquiry about a Lieutenancy, (I understand there are two to be disposed of in the 14th L. Dragoons) as Charles Thompson is determined to quit his next week, and I wish for his own sake that he goes direct to the other, as the Duke might be displeased with any one being idle at this critical moment. If you are in the way I shall expect a line—just to say if you think it possible for him to purchase so soon.—His R. H. goes out of town to Chelmsford Saturday, and returns to town to his office 3 o'clock Tuesday.

"M. A. C.

"Colonel Sandon, No. 15, Westminster Bridge,

"Bridge-street, Westminster."

18. "Dear Sir,

"Major Taylor has proposed to do something in the Irish levies for his Lt. Colonelcy, but it will not be effected; the friend of our's says he will let him purchase, altho' he is so young a major, but this you know is nothing to us; so do you see him, and if you enter upon the same terms as before, I think I shall be able to teize him out of it; let me know the result of it soon as possible.

"Do you think it at all possible for you and French to let me draw a bill on you for 200l. I am so dreadfully distressed I know not which way to turn myself, and before that will be due you are aware of what is to be done for me in that negotiation. Thank you for the Pig, it was the most delicate thing of the kind possible. Adieu.

"Dear Sir, I am,

"Wednesday, Jan. 30.

"&c. &c. &c."

19. "Dear Sir,

"As I leave town on Monday evening, and running short of Cash, will you be kind enough to send me by Monday the Hundred Pounds.

"Colonel Sandon."

"M. A. C.

20.

"Dear Sir,

"Most unfortunately Lord Bridgewater has asked for the vacancy 'ere indeed it was one, so that that is done [torn] ; but H. R. H. will let me know if he can at 4 o'clock.—He does not go out of town, as intended, to-morrow, on account of his Majesty having been insulted yesterday, and still fears it.—I have a bill due either Saturday or Monday, I know not which day ; can you get me the five hundred guineas—he has been signed, and will be in the Gazette to-morrow ; you know who I mean.

"Instead of a 60 guinea harp let it be 100, as I have told him you was going to present me one, therefore it must be very elegant.

"Tell Zimmenes he shall have [torn] he wishes for 700 guineas not [torn] he shall have it in a month.

"Don't fail burning my scribble soon as read.

"I do not go out of town to-morrow.

"Colonel Sandon, No. 15, Bridge-street, Westminster :

"or, Duke-street, Adelphi, No. 9, Office."

21.

"Dear Sir,

"Thursday.

"I am extremely sorry to inform you (for the poor boy's sake) but it is impossible to admit him, as he has that misfortune you mentioned of being *one-eyed*. Do you think it possible to get me a vote on Monday for Pitt's motion? It will if carried be of some consequence to us hereafter, try all you can.

"I remain, dear Sir, your's, &c.

"Colonel Sandon,

"M. A. CLARKE.

"Bridge-street, No. 15, Westminster Bridge.

"Send me an answer."

22.

"What you ask will be at your service, and the letter will be at your office Monday morning.

"Colonel Sandon."

23.

"Mrs. Clarke will be glad to see Captain Sandon to-morrow, before twelve o'clock, if he is in town ; if not, Monday at five.—

"Friday.

I o'clock

"Colonel Sandon,

2

6 JY

"No. 15, Bridge-street,

TWO PY POST

1804. N. T.

"Westminster Bridge."

Unpaid.

24.

"Dear Sir,

"There is not any such thing in contemplation as the written question. Will you again ask about an India Lieutenantcy? as the Duke assures me there are two for sale. In consequence of what I mentioned to him of Kenner, he has made many enquiries, and finds him to be a black sheep; he offered to bribe Col. Gordon a few days since!!

"M. A. C.

"Colonel Sandon."

48th Antedate.

25.

"Dear Sir,

"Ere I leave town I scratch a few lines, begging you to be on your guard in every point; but of *my name* in particular, for the future never breathe it.—I am confident you have a number of enemies, for yesterday the ——— was assailed from seven or eight different

persons with invective against you. He is a little angry at something; yet will not tell it me—I think this fellow Kenner tries his friends—they laid fine complaints against you—did you tell Zemminees that as soon as Tonym was gazetted you would get him done? in the same way, and that I was the person? Let me see you on Tuesday.

“ Adieu, I am interrupted.”

26. “ My dear Sir,

“ Be so good as to look at the Gazette to-morrow evng. as I rather expect some of the names to be inserted. I have others which I assure you upon my honour. The present for my trouble for the Majority is seven hundred guineas, so if you have any more this must be the sum—I shall be in town on Monday, if you will have any thing to communicate. I remain,

“ Friday evng.

“ Dear Sir, your's, &c. &c.

“ M. A. C.”

7 o'Clock

“ Colonel Sandon,

28 Sp.

“ No. 8, Lyon's Inn,

1804 Nt.

“ Wych-street,

“ Strand.”

Two-Penny

POST.

22d

27. “ Dear Sir,

8th

“ I made a mistake, it is the 22d Regiment Mr. Thompson is to purchase into, or the 8th. Shall I see you to-day?

“ M. A. C.”

“ What is Thompson to say to his Colonel?

“ Charles Farguhar Thompson, 13 to 8 or 22d.

“ Colonel Sanden, 15, Bridge-street Westminster.”

28. “ I gave the papers to his Royal Highness; he read them while with me; said he still thought men high; but that an answer would be left at his office as the way of business.

“ I told him if any was appointed, to give the Col. the preference. Burn this soon as read.—I do not comprehend exactly what you mean by five other things; I don't think it possible.

29. “ Can you send me one hundred pounds to day? and let me see you to-morrow morning.

“ Colonel Sandon.”

“ M. A. C.”

30. “ Dear Sir,

Friday.

“ Will you go to the Horse Guards for me to-day, and leave a proper letter as coming from Charles Thompson, asking for leave of absence for a for a fortnight; but if his services should be wanted he would join immediately: if you know any belonging to the Adjutants, you could get it by to-morrow.

“ Colonel Sanden.”

“ M. A. C.”

31. “ I have a letter which says you are a money-lender, in collage with a notorious man, called Dell!! I wish to shew it you.

“ I hope you will attend the Duke to-day, as Clinton leaves him on Thursday, and he has all the writings for you in hand: he will not leave his office till six.—

“ I shall be glad of a hundred guineas, if possible, this week. Sa-

Vol. I.—1509.

4 H

Monday week Tonyn will be gazetted. How comes on French? Call to-morrow, if possible.

"Colonel Sandon, 15, Bridge-street, Westminster.

32. "As your servant has called, and fearing you may not have my letter—beg you to see the Duke to-day at all events, or else things will be longer about, as Colonel Gordon takes Clinton's place on Thursday."

33. "Dear Sir,

"Pray what can Speddings mean, by asking on Thursday, through General Tonyn, for leave to go upon half-pay? 'Tis odd behaviour, and you must think that some one thinks me used very ill;—of course, till this is fully explained, I shall drop all thoughts of anything else.

"Saturday.

"I remain your's

"Colonel Sandon."

"M. A. C."

34. "Sir,

"I am exactly treated as I have been led to believe, from more than one quarter; but will thank you to send me Colonel Freneb's address to-day, before the post goes out.—I have nothing to do with your agent, you know.

"I remain, Sir, your most obedient,

"M. A. C."

35. "As Colonel Sandon did not call according to promise, Mrs. C. hopes he will have the goodness to send her a bill at two months, in the morning;—surely all things will be settled before that becomes due. Mrs. C. hopes he will not disappoint.

"Monday.

"Colonel Sandon, Lyon's-inn, Whych-street."

36. "Sir,

"You have disappointed me dreadfully, a bill of one hundred at three months is useless, it must be for two hundred at three months, or one at six weeks or two months. I beg you to return it by the bearer, as I mentioned my situation to you.—Word it thus:—I promise to pay six weeks or two months after date, to Mr. Thompson, or order, the sum of one hundred pounds for value received.

"Pray let me have it this evening at all events.

"M. A. C."

37. "Mrs. Clarke's compliments attend Captain Sandon, will feel herself much obliged if he will do his best for Thompson in the recruiting business, as on his getting the men early will give him first rank.

"Mrs. C. has not been able to get an answer from H. B. H. about Taylor.

"Dec. 26.

"Colonel Sandon, No. 8, Lyon's-inn, Whych-street."

2 Two Py.

Dec. 26th, 1804.

7 o'Clock

POST

Dec. 26, 1804.

26 Dec.

Blandford.

J. S.

1804. N. a.

FEB. 16.] REPORT OF SELECT COMMITTEE. 303

38. " Mrs. C. must again intreat the assistance of Colonel S—. He well knows she has always done as he has wished her to do.

" *Colonel Sandon, No. 8, Lyon's-inn, Wych-street.*"

39. " I am told an answer is left out for Colonel French, at the office, and that he now has dropped three guineas per man.—

" I am not aware of what the answer is intended to convey.

" Mr. Corri. [torn.] k will.

40. " I hope you will not disappoint me, as on you alone depends my hopes of taking up a bill over due.

" *Colonel Sandon.*"

41. " Dear Sir, " *2, Westbourne-place, Sloan-square,*
" *December 2d.*

" Let me know where you are, and I have not the least doubt but I can serve you essentially, and remain as ever your friend.

" *MARY ANNE CLARKE.*

" *Captain Sandon, Waggon Train, Spain.*

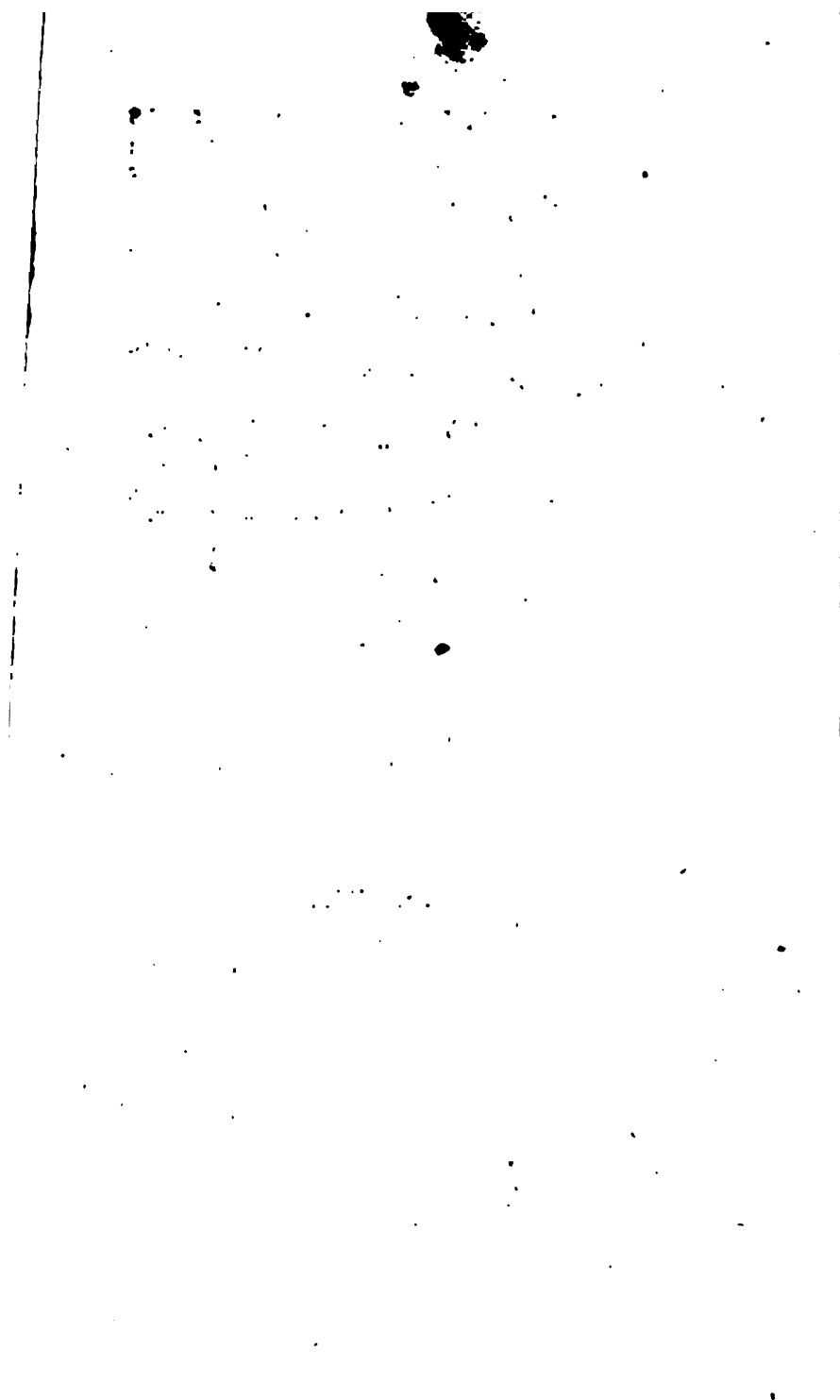
" *By Messrs. Greenwood & Co. Lyon-inn, Strand, London.*"

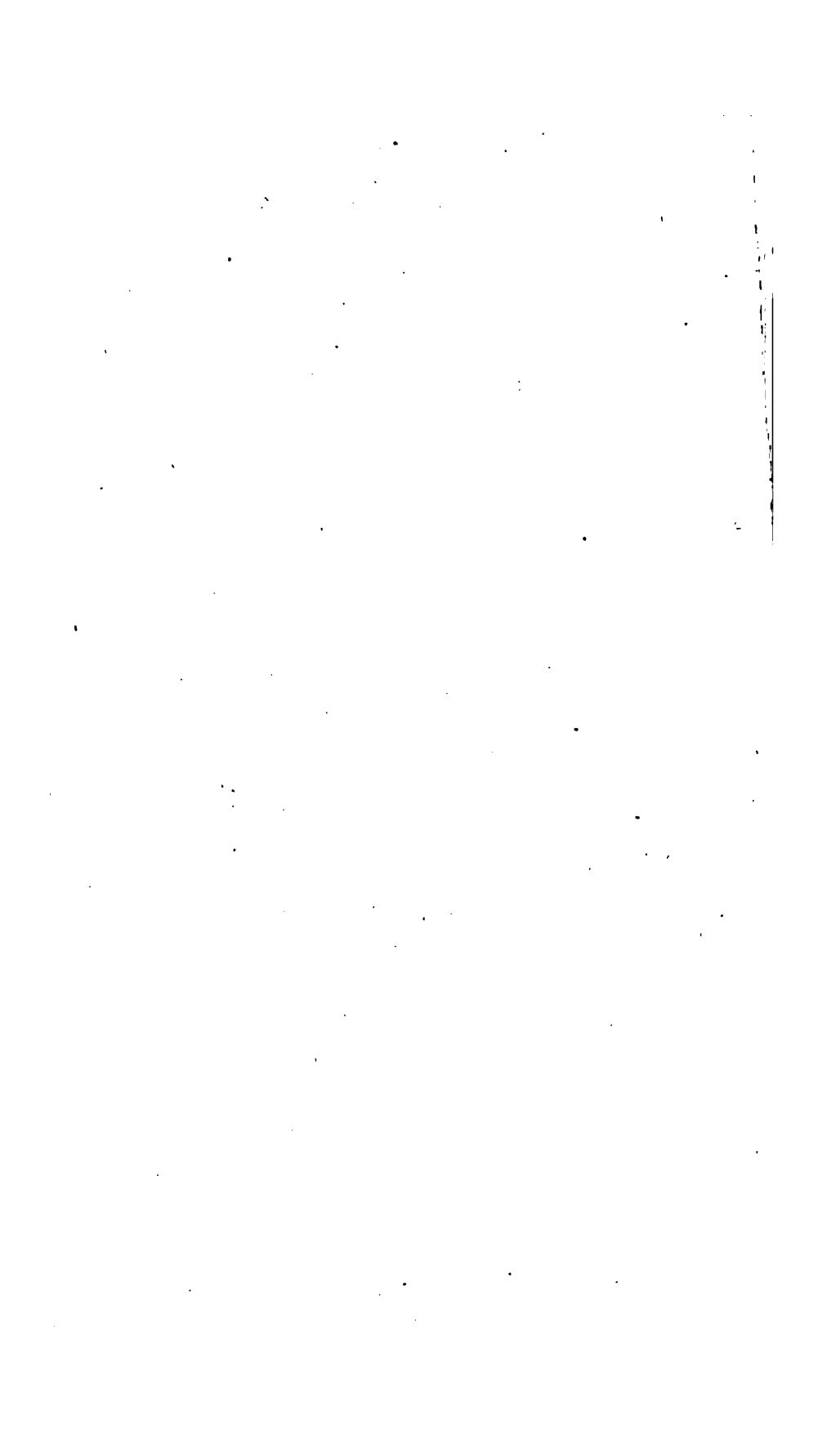
2d Dec. 1808.

PORTSMOUTH, Jan. 29, 1809.

G. Jan. 30, 1809.

END OF VOL. I.—1809.











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J
301

K.674

v. 1
18



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